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ASSETS £12,000,000. ESTABLISHED 1836.

The Solicitors' Journal and Weekly Reporter.

(ESTABLISHED IN 1857.)

LONDON, JANUARY 11, 1919.

ANNUAL SUBSCRIPTION, WHICH MUST BE PAID IN ADVANCE:

£2 12s.; by Post, £2 14s.; Foreign, £2 16s.

HALF-YEARLY AND QUARTERLY SUBSCRIPTIONS IN PROPORTION.

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Current Topics.

The Hilary Cause Lists.

THE COURT of Appeal list for the Hilary Sittings shows a considerable falling off from the number at the beginning of last sittings. Then the total was 165, including 23 Chancery, 99 King's Bench, and 15 Workmen's Compensation Appeals. Now the total is 103, and the corresponding constituent numbers are 13 Chancery, 56 King's Bench, and 8 Workmen's Compensation Appeals. Last Hilary Sittings the total was 153, and the corresponding constituent numbers 17, 110, and 5. The present number seems to be the lowest for several years, though in 1917 the total fell at Hilary and Easter to 117. Chancery appeals have not been numerous lately, though they do not seem before to have fallen so low as 13. The bulk of the appeal work comes from the King's Bench Division, but here the drop is very marked. It is not long since the Court of Appeal was overwhelmed with this class of business. The number was from two to three hundred. The present number of 56 seems, as in the Chancery Division, to create a record.

The High Court Lists.

IN THE Chancery Division the number of cases are about the average—252, with 34 company matters. At the beginning of last sittings the numbers were 250 and 40; a year ago they were 275 and 37; but they fell at Easter, 1917, to 122 and 25. The maintenance of the number these sittings is doubtless due to arrears arising from Mr. Justice Eve's absence last sittings, when he was sitting in the Court of Appeal, and to other interruptions of business. The King's Bench list, with a total of 716 causes, is about the same as last sittings, when the number was 721. The present total is made up of 119 Divisional Court cases, 592 actions for trial, and 5 Bankruptcy matters. Last sittings the corresponding numbers were 183, 536, and 2. So that there has been a substantial drop in Divisional Court business and a corresponding increase in actions for trial. This last item continues the revival of King's Bench business which commenced last sittings. At Hilary, 1918, the total was only 334, with constituent figures of 98, 235, and 1. The Probate, Divorce and Admiralty list remains large with 826 cases—namely, 654 Probate and Divorce and 172 Admiralty. But it has decreased since last sittings, when the total was 1,092, made

up of 935 Probate and Divorce and 157 Admiralty actions. Last Hilary the number was 707, made up of 579 Probate and Divorce and 128 Admiralty actions. The bulk of the work consists of undefended divorce actions—536 now and 732 last sittings. The total of all High Court causes is now 1,828 as compared with 2,103 last sittings and 1,353 a year ago.

The Valuation of Land Taken for Public Purposes.

THE acquisition of Land Committee, of which Mr. LESLIE SCOTT, K.C., is Chairman, was appointed by the Minister of Reconstruction "To consider and report upon the defects in the existing system of law and practice involved in the acquisition and valuation of land for public purposes; and to recommend any changes that may be desirable in the public interest." Their first Report, which was issued a year ago, dealt with the extension of the principle of the compulsory acquisition of land and the simplification of the procedure for obtaining compulsory powers (see 62 SOLICITORS' JOURNAL, pp. 419, 436). The question of valuation was left for a subsequent report, and this has now been issued. We must postpone for the present any detailed examination of the proposals made by the Committee, but after a short reference to the Land Clauses Acts they express the opinion that these are out of date and should be repealed and replaced by a fresh code. Practically the only Act in question is that of 1845, and practitioners who have grown familiar during a lifetime with the procedure which that Act established will be inclined to wonder at the radical nature of this proposal. Still, there is no doubt that the procedure is expensive, and in some cases at any rate circuitous. And it is also based upon the idea that it is somewhat iniquitous to expropriate the proprietor, although for the public benefit, and that he should receive a compensating bonus. This system the Committee consider should be put an end to, and the standard of value to be paid to the owner should, in their opinion, be the market value as between a willing buyer and a willing seller. There should also be fair compensation for consequential damage, but no allowance beyond the market value in consideration of compulsory sale.

Special Adaptability and Betterment.

A SERIES of cases under the Lands Clauses Act have established that special adaptability may be taken into account in fixing the value of land taken. Thus, if land is from its situation or elevation specially suitable for a reservoir, and a public body requires it for that purpose, it has to be paid for on the footing of this special value, although the owner would himself have had no opportunity of using it or procuring its use for such a purpose. As to this the Committee recommend that the owner should not be entitled to any increased value for his land which can only arise, or could only have arisen, by reason of the suitability of the land for a purpose to which it could only be applied under statutory powers. Then, again, there is the case where no market exists for the property in its existing condition—a chapel, for instance—and then it is proposed that compensation should be paid on the principle of reinstatement, where reinstatement is *bona fide* intended. One great difficulty in the way of promoters has been their liability under section 92 to take the whole property where only part is required. In numerous special Acts this liability is negatived, and the Committee propose to enable promoters generally to take part only of a property, making suitable compensation for severance; or they may acquire an easement only, if that will be sufficient for their purpose. As to assessment of the compensation, the Committee recommend that assessment by a jury should be abolished, and that the tribunal should consist of one or more arbitrators of an expert character. When the parties do not agree, the arbitrator would be appointed from a panel. The principle of betterment should be applied to all interests in land having a market value, subject in normal cases to 50 per cent. being the amount taken from the owner. Compensation for injurious affection is also dealt

with, but it is hardly practicable to attempt to summarize the recommendations on this head. If the Report results in legislation a very important branch of recently made law will be profoundly modified.

Gifts of Chattels.

ONE of the most famous decisions of the Court of Appeal at a time, now nearly thirty years ago, when one branch consisted of Lord ESHER, M.R., and FRY and BOWEN, L.JJ., was *Cochrane v. Moore* (25 Q. B. D.), in which it was held that a verbal gift of a chattel could not be made without delivery. Lord Justice FRY, in his judgment, made use of Professor MAITLAND's discovery of the importance of seisin in the old English law as applying to chattels as well as to land, and by a minute examination of the old authorities shewed that livery of seisin—that is, the handing over of possession—was as fundamental in English law in the case of chattels as of land. A relaxation was allowed where the gift was made by deed, but, short of this formality, delivery was essential to the validity of the gift. In *Cain v. Moon* (1896, 2 Q. B. 283) the question arose whether the delivery must be contemporaneous with the gift, or if it was sufficient for the chattel to have been previously placed by the donor in the possession of the donee; and it was held by the Divisional Court (Lord RUSSELL, L.C.J., and WILLS, J.) that antecedent delivery was sufficient. That was a case of a donation *mortis causa*, but the delivery in such a case is the same in its nature as in any other case of gift; and P. O. LAWRENCE, J., has given a similar decision in *Re Stoneham* (reported elsewhere).

Married Women and Poor Relief.

A SERIES of cases on relief by guardians to a married woman under section 33 of the Poor Law Amendment Act, 1868, deserves attention. The latest is *Richards v. Colman* (reported on another page). The prior case was also recent, *Birmingham Union v. Timmins* (1918, 2 K. B. 189), decided last April. We have then to go back as far as 1870. The case we report is the logical climax of the two preceding cases. It lays down that it is always a question of evidence whether the wife is, in fact, in need of relief. If there is evidence that the wife does not need relief, the justices may refuse to make the order for the husband to recoup the guardians. In the earliest case it was held that the order could be made against the husband, although he had offered the wife a home and maintenance, because it would be dangerous to the wife to return to her husband owing to his character for violence. Here it is the husband's fault which produces the need. In the second case it was held that the order could be made against the husband, although there was already a maintenance order against him, as he was no longer obeying it. Again it is the husband's fault leading to the wife's "need" or "requiring" maintenance. Finally, there is *Richards v. Colman*, where the wife, being offered a home and maintenance, under unexceptionable circumstances, refuses them through caprice. Here it is the wife's fault; she refuses maintenance. She cannot be said to "need" what she refuses, and therefore the order cannot be made against the husband. The fact of the guardians granting relief does not shew that she needs the relief. As Mr. Justice DARLING said, if the guardians choose to give relief in such circumstances it is a matter for them to settle with the ratepayers.

The Duties of Accountants.

A CASE which we report elsewhere, *Fox & Son v. Morrish, Grant & Co.*, has excited much interest amongst accountants. It raised a question which has caused diversity of opinion in that profession as to the duty of accountants who are engaged to prepare balance-sheets of firms or individual traders. The particular point was whether the accountant may take the figures as he finds them in the books as to "cash at the bank" or "cash in hand" without verifying them, and especially, as regards "cash at the bank," without examination of the pass-book, or obtaining a certificate from the

bank manager or some other bank official; or, if he does not take either course, without informing the trader that he has not done so. The duty of an accountant in preparing balance-sheets and that of an auditor in auditing accounts are admittedly different. The duty of the latter is essentially verification, or even remonstrance and control as to the methods of bookkeeping, and it would undoubtedly be neglect of duty for an auditor not to check the balances, as shewn in the business cash-book, with the banker's pass-book. The accountants in the case of *Fox & Son v. Morrish, Grant & Co.* contended that this was no part of their duty, on the specific ground that they were not employed as auditors. According to the evidence of many eminent accountants, the ordinary practice of accountants in preparing balance-sheets, when stating the cash at the bank, is either to examine the pass-book or to get a certificate from the bank as to the balance, or to inform the trader if they have not done so. The result of the case is that the omission to take one or other of these steps amounts to negligence for which damages may be recovered if loss is incurred through the fraud, for example, of a clerk, which would have been discovered if the pass-book had been examined. No doubt the verification of the actual bank balance at any particular moment is troublesome, owing to the stream of coming-in and passing-out cheques. The peculiar circumstances of the original agreement to prepare balance-sheets, in the present case, seem to explain the non-performance of a duty which accountants usually recognize.

The Civil Industries Committee.

ONE OF the most interesting of the recent changes due to the relaxation of Government control is the disbanding of the Civil Industries Committee. From the official announcement that this step has been taken we learn that the Committee was appointed by Dr. Addison, then Minister of Munitions, in February, 1917, under the name of the Priority Advisory Committee. Its duties were to investigate the claims of industries threatened with hardship or extinction owing to the shortage of raw materials, and to make arrangements whereby they might at least be kept alive, even if not maintained at their former level. The Committee comprised some Departmental officials, but was composed mainly of business men of such standing as to give to the traders of the country a feeling of confidence that their interests would be safeguarded. The Chairman was Mr. JOHN WORMALD, of MATHER & PLATT, LIMITED, engineers, Manchester. The Committee was housed at the headquarters of the Priority Department of the Ministry of Munitions until December, 1917, when it was constituted a Sub-Committee of the War Priority Committee and transferred to 11, Pall-mall.

The Rationing of Manufacturers' Supplies.

THE COMMITTEE from the beginning undertook the rationing of manufacturers already grouped together in trade associations or capable of being so grouped. It worked on the principle of winning the co-operation of the traders themselves, and no decisions were made without consultation with representatives of the industries concerned. The Committee originated the system of appointing, as official rationing authorities, independent persons of high standing, chiefly firms of chartered accountants, and this is said to have worked to the general satisfaction of the traders rationed. To assure that the supplies of raw materials should be forthcoming the Committee worked in closest touch with various Government departments; a close liaison has also been maintained with the War Trade Department for the purpose of co-relating manufacture to export. It is claimed for the Committee that, by general admission, it has furnished a striking example of what can be effected in administration by appointing a man of experience and of proved business ability, and by allowing him to select his own colleagues; and, owing to the way in which the work has been done, manufacturers have acquiesced in the severe cutting down of their supplies. It is difficult to obtain

a comprehensive view of the effect of war-time restrictions; and, of course, they are incompatible with the carrying-on of business in normal times; but in some directions they have been obviously useful and beneficial, and the Civil Industries Committee appears to be a good example of this.

The Lord Chancellor and a Minister of Justice.

THE machinery of Government Committee was appointed as a Sub-Committee of the Reconstruction Committee in July, 1917, and the members were confirmed in their appointment on the establishment of the Ministry of Reconstruction. The terms of the reference were: "To inquire into the responsibilities of the various Departments of the central executive Government, and to advise in what manner the exercise and distribution by the Government of its functions should be improved." The members of the Committee were:—Lord HALDANE (Chairman), Mr. E. S. MONTAGU, Sir ROBERT L. MORANT, Sir GEORGE H. MURRAY, Colonel Sir ALAN SYKES, Mr. J. H. THOMAS, and Mrs. SIDNEY WEBB, with Mr. MICHAEL HESELTINE as secretary. In their Report, which has just been issued, the Committee have endeavoured to define, in the first place, the general principles which should govern the distribution of the responsibilities in question, and, in the second place, to illustrate the application of these principles in sufficient outline. Part I. of the Report deals with the results of their inquiries under the first of these heads, and Part II. with the results under the second. As regards the latter, they explain that they have not attempted to deal exhaustively with all the Departments of State, or to do more than give illustrations, in such detail as seemed practicable, of the manner in which the general principles laid down in Part I. might be applied; the reason being that, in present circumstances, there must necessarily be great uncertainty as to the extent to which the sphere of action of the central Government may be enlarged or restricted after the war, and as to the number and functions of the Departments which will be required.

As to Part I. it is sufficient to say that it distributes Government business under the following heads:—(1) Finance; (2) and (3) National Defence and External Affairs; (4) Research and Information; (5) Production (including Agriculture, Forestry, and Fisheries), Transport and Commerce; (6) Employment; (7) Supplies; (8) Education; (9) Health; and (10) Justice. But it is pointed out that it does not necessarily follow that there would be only one Minister for each of these branches. Some of them would undoubtedly require more than one; and further, that a more efficient public service may expose the State to the evils of bureaucracy unless the reality of Parliamentary control is so enforced as to keep pace with any improvement in departmental methods.

The recommendations of the Committee with regard to the organization of the Administration of Justice are contained in Chapter X. of Part II. of the Report, and they shew the influence of recent suggestions for relieving the Lord Chancellor of a part of his present impossible burden of work and the establishment of a Ministry of Justice; in particular those contained in the address on the question delivered by Mr. SAMUEL GARRETT at the meeting of the Law Society a year ago, though we rather gather that the Report leaves more to the Lord Chancellor and transfers less to the Minister of Justice than Mr. GARRETT proposed. "As regards the general question," say the Committee, "we think that a strong case is made out for the appointment of a Minister of Justice"; and among the reasons are these:—

We are impressed with the total inadequacy of the organization which controls the general administration of the very large staffs, with the voluminous business, required to give effect to the decrees of the Courts of Justice throughout the country. One of the chief reasons for this inadequacy is the magnitude and variety of the duties with which the Lord Chancellor is charged, without really being allowed either the time or the machinery requisite for their perform-

ance. It is one thing to hold the position of chief legal adviser to the Government and quite another to possess the powers which a Minister of Justice ought to have.

This statement is supported by an examination of the duties which at present are cast on the Lord Chancellor, and in respect of which the volume of the work has expanded with the growth of the nation and of its business. The Lord Chancellor is Speaker of the House of Lords, and hence has to attend on the Woolsack when the House is engaged in its ordinary sittings as a legislative body. He is a member of the Government, and in normal times a member of the Cabinet. Membership of the Cabinet involves attendance at Cabinet meetings, and membership of the Government involves special responsibility for all Bills touching legal practice and procedure, and also in respect of points of law or interpretation arising on other Bills. He is President of the House of Lords sitting as the Supreme Court of Appeal for Great Britain and Ireland, and his participation in judicial business involves a heavy tax on his time, and this is work which is almost entirely of a personal nature. He also sits, when practicable, as President of the Judicial Committee, and whether he sits or not, is responsible for the constitution of that Court and the due conduct of its proceedings. Nominally, he is head of the Chancery Division of the High Court and President of the Supreme Court; but though in the former capacity he is responsible for certain matters of administration—such as the transfer of Judges and causes—this does not impose any material amount of work. But his functions as President of the Supreme Court are, the Committee say, "exceedingly onerous, difficult and responsible, and all the more so because some of them are undefined and indefinable. It is upon the recommendations of the Lord Chancellor that all the Judges of the Supreme Court—though technically not those of the Court of Appeal—are appointed by the King, a patronage the exercise of which is one of great anxiety, and which requires that the Lord Chancellor should be in constant touch with the Bar." In addition, he is largely responsible for the appointments to Masterships and clerkships in the Courts and for the internal organization of the High Court, and "the amount of work involved, though it would not be considered great in a large and highly organized office, is overwhelming under the present constitution of the Lord Chancellor's Department."

But though enough has been enumerated to fill a busy man's working day, we are still only at the beginning of the duties which the Lord Chancellor is expected to undertake. He is Chairman of the Rule Committee of the Supreme Court, and is in that capacity responsible for keeping the contents of the Practice Books up to date. He also has to approve other rules—e.g., those under the County Courts and Workmen's Compensation Acts—and during the war a vast number of Emergency and other special rules have been subject to his jurisdiction. Perhaps this has been balanced by his non-inclusion in the War Cabinet. He is responsible, too, for the county court system of the country. He appoints all the judges, and the appointments of registrars, though made by the judges, are subject to his approval. Matters of finance, however, are under the Treasury, and there is thus a divided authority over the administration of the courts which, in the view of the Committee, requires reconsideration. The supervision of the Land Registry, of the Public Trustee's office, and of lunatics, again, impose on the Lord Chancellor or his officers a certain amount of work, and matters of legislation in this connection are specially within his province; and as to lunatics his officers have a perennial supply of work:—

"As every lunatic has a right to write to the Lord Chancellor, and very many lunatics exercise this right—some of them many times a day—the complaints of lunatics are constantly brought before the Lord Chancellor, and the time of his officials is very largely occupied in reading these letters, with a view to satisfying themselves that they do not in isolated instances suggest that the writer may be submitting a justifiable complaint."

And there is no chance of dividing the labours of the office

by making use of the lunatics who think they are the Lord Chancellor.

The appointment of Justices of the Peace is a further branch of work the strain of which has been found intolerable. If we remember rightly, it was Lord HERSHELL who took the matter in hand and tried to remedy the political inequality of the appointments which were then usually made on the recommendation of the Lords-Lieutenants. Advisory Committees have now been established, but "in dealing with these recommendations great labour and some tact are required, and the Lord Chancellor is often very fully occupied by questions of this nature, which, as in the case of most personal questions, absorb a disproportionate amount of the time of himself and his officials." The appointments to twelve canonries and 659 benefices, in addition to other appointments which lapse to the Crown and are made by the Lord Chancellor, further increase the work of his Department, though they have no connection with the administration of justice. Of course, the above work involves a vast amount of detail which cannot be attended to by the Lord Chancellor personally. He has to assist him a very small staff under the control of his Permanent Secretary, who is its principal officer, the other chief officers being the Secretary of Commissions, who has the charge of the appointment of justices, and the Secretary of Presentations, who has charge of the appointments to benefices. The Permanent Secretary is also Clerk of the Crown, but the two offices are united only because the Lord Chancellor, who appoints to the first, and the Prime Minister, who advises the King as to appointment to the second, arrange as a matter of convenience to appoint the same person.

After the statement of the duties of the Lord Chancellor which we have thus summarized, the Committee say:—

"The functions of the Lord Chancellor and his Department seem clearly to admit of a redistribution which should have as its object the relief of the Lord Chancellor from responsibilities which are at present too heavy to leave it possible for him to discharge them effectively; and the further concentration in one Department of some of the administrative functions connected with the operation of the Courts, and in the hands of one Minister of some of the patronage now widely dispersed, and sometimes entrusted to high officers of State not responsible to Parliament."

The recommendations of the Committee cannot be adequately dealt with by way of summary, and we commence to print them on another page. In effect they preserve the office of Lord Chancellor with wide duties as head of the Courts and as the principal legal and constitutional adviser of the Cabinet; though as regards the Courts, he should be freed from the duty of daily or even of frequent judicial sitting. Appointments of the Superior Judges, of County Court Judges, of Recorders, of Stipendiary Magistrates, and of Masters of the Supreme Court would lie with him, but with the help of an advisory committee, including the Prime Minister, the Minister of Justice, the ex-Lord Chancellor, and the Lord Chief Justice. The establishment of such a committee is one of the chief innovations recommended, and while it would be useful as ensuring uniformity in the appointments and getting rid of the idea that each new Lord Chancellor makes his first appointments—at least to inferior offices—out of persons who happen to be favourably known to him, some criticism may be expected as to its constitution. It is too exclusively composed of high officials, and would be too little representative of actual knowledge of practising counsel and solicitors. In addition to these duties in connection with the courts, the Lord Chancellor would remain Keeper of the Great Seal and the principal legal and constitutional adviser of the Cabinet, and he would have more opportunity than now exists of making himself familiar with questions relating to proposed legislation. He should, of course, be relieved of ecclesiastical patronage, though the Committee seem only to contemplate an advisory committee for him.

This leaves a great mass of work which the Committee consider should be placed in charge of a Minister of Justice, and they assign the Home Secretary as this Minister, relieving him of certain other functions in no way concerned with

the administration of justice. For the details of the redistribution of work we may refer to the text of the recommendations. It would be too much to expect the Committee to have completely developed this side of the question; but the Minister of Justice would be charged generally with the administration of the services connected with justice, including the prerogative of mercy and the administration of prisons; and not least noteworthy is the recommendation that "his Department should contain experts charged with the duty of watching over the necessities of law reform, and for studying the development of the subject at home and abroad." It is, perhaps, correct to say that most of the law reform of the past has been due to the efforts of the private reformer, and it has been slow and irregular. When the day of the expert law reformer comes the result will, we imagine, be watched with no small interest. To take such a matter as that which we noticed last week—the restrictions on donations *mortis causa*—will these be promptly put on a rational basis, or left, as now, to the accident of the nature of the property?

The Problems of a League of Nations.

II.

WE stated last week the principle which Prof. OPPENHEIM suggests* for the organization of a League of Nations. He rejects a Central Political Authority, and relies upon a development of the work of the Hague Conferences. The tasks of the League when organized he defines as International Legislation, International Administration of Justice, and International Mediation. But he uses the term "legislation" in a figurative sense only. Municipal Legislation presupposes a sovereign power. International Legislation must rest on treaties; but since these will be intended to create law the term is useful and convenient. It corresponds, indeed, to International Law as hitherto existing, which is only book law—"a customary law which is only to be found in text-books of International Law"—and the legislation enacted under the auspices of a League of Nations will fill the gaps in it.

"International Legislation will be able gradually to create international statutes, which will turn this book law into firm, clear and authoritative statutory law." It will not, however, be an easy matter to bring these statutes into being. Prof. OPPENHEIM points out some of the difficulties. There is the question of language; but this will probably be got over by making the text in a particular language—according to the present custom, French—authoritative. There is the difficulty that the legislation cannot, according to Prof. OPPENHEIM, depend on the votes of a majority of States, but must carry the consent of all. He meets this by allowing validity to any particular statute only as between the consenting States, trusting that if the legislation is really of value, the time will come when the dissenting States will gradually accede. Would not, however, the conditions of legislation be a part of the fundamental treaty, and, if by this it was provided for statutes to be passed by a particular majority they would then be binding upon all, in accordance with the terms of the treaty, just as much as the treaty itself would be. The Conventions of the Second Hague Peace Conference, a good many of which were only agreed upon by particular States, and to which Prof. OPPENHEIM refers by way of example, do not seem to be relevant, for they were not framed under the provisions of a general legislative treaty. A more formidable difficulty is that of interpretation, for the principles on this matter differ widely. England and the United States adhere to the intention as expressed in the written statute, and reject all considerations of how it came to be passed; Germany and other Continental States adopt an opposite course, and their courts take into consideration, not only the literal meaning of a clause of a statute, but also the intention of the legislation as evidenced by its history. And he cites as an example Art. 23 (h) of the Hague Regulations of 1907 concerning Land Warfare, which lays down the rule that it is forbidden "to declare abolished, suspended, or inadmissible in a Court of Law the rights and actions of the nationals of the hostile party." According to the interpretation in Germany, this

prevents any interference with the right of alien enemies to bring actions and enforce contracts; according to English interpretation, it is confined to maintaining civil rights in occupied territory. In an Appendix Prof. OPPENHEIM prints some interesting correspondence which he had on the subject with the Foreign Office in 1911. Any such difficulties of interpretation would have to be got over by an agreement upon common principles.

In his third lecture Prof. OPPENHEIM deals with the Administration of Justice and Mediation within the League of Nations. International Legislation may exist without any International Courts to administer it, but it is then only effective for cases where no controversy arises. For controversial cases which cannot be settled by agreement, a Court of Justice is essential for the due working of the system of legislation. An important step in this direction was taken when the first Peace Conference of 1899 agreed upon the institution of a Permanent Court of Arbitration and a code of rules of procedure; and though that Court is not really permanent, but its members have to be nominated on each occasion, yet the Court and the procedure are available for States which desire to make use of them. "The short time of twenty years," says Prof. OPPENHEIM, "has fully justified the expectations aroused by the institution of the Permanent Court of Arbitration, for a good number of cases have been brought before it and settled to the satisfaction of the parties concerned." Further steps in the same direction were contemplated at the Conference of 1907, but these did not proceed further than the "Draft Convention Concerning the Creation of a Judicial Arbitration Court." The object, as stated in Art. 1, was to organize, without interfering with the Permanent Court of Arbitration, "a court of arbitral justice, free and easy of access, based upon the juridical equality of States, consisting of judges representing the different juridical systems of the world, and capable of securing the continuity of arbitral jurisprudence." The establishment of Courts of this nature will, it may be assumed, be an integral part of any League of Nations, but, as Prof. OPPENHEIM points out, their success will depend on the men who compose them. "Not diplomatists, not politicians, but only men ought to be appointed who have had a training in law in general, and in International Law in particular; men who are linguists, knowing, at any rate, the French language besides their own; men who possess independence of character and are free from national prejudices of every kind." The search for judges who have learned to "think internationally" ought not to present insuperable difficulties, and the impartiality which should distinguish the International Courts is already seen in the Supreme Court of the United States and the Judicial Committee of the Privy Council, and, we do not doubt, in the high Continental Courts as well.

Prof. OPPENHEIM makes further suggestions as to the constitution of the International Courts of First Instance and Court of Appeal, but into these we must not follow him, and we must pass quickly over his proposals for International Mediation by International Councils of Conciliation. One precedent for this is, he points out, contained in Art. 8 of the Hague Convention of 1907 for the "Pacific Settlement of International Disputes." That plan was to entrust mediation to two Powers chosen respectively by the parties. The other precedent is in the American Peace Treaties of 1913-14, of which that with Great Britain of 15th September, 1914, forms one, and under which, after diplomatic methods of adjustment have failed, disputes are referred for investigation and report to a permanent International Commission; the parties agreeing "not to declare war or begin hostilities during such investigation and before the report is submitted." Taking these as a starting point, Prof. OPPENHEIM makes suggestions for the constitution of a number of Councils of Conciliation, with a small Permanent Council of the Great Powers to "watch the political life of the members of the League and communicate with all the Governments of the members in case the peace of the world were endangered by the attitude of one of the members; for instance, by one or more of the members arming excessively." Prof. OPPENHEIM also touches on the questions of disarmament—which he thinks will *ipso facto* follow the establishment of a League of Nations—and of sovereignty. As to the latter, he sees no infringement of sovereignty in an agreement not to go to war on account of a judicial dispute, or, in case of a political dispute, not to go to war till there has been a chance of mediation by an International Court of Conciliation. "And even if it were otherwise, if the entrance of a State into the new League of Nations did involve an infringement of its sovereignty and independence, humanity need not grieve over it."

We have on a former occasion (62 SOLICITORS' JOURNAL, p. 269) noticed one of Mr. KEEN's attempts to give practicality to the scheme for a League of Nations in his pamphlet "Hammering Out the Details." In that he laid stress on the importance of a Legislative Conference, and locked to it, not only for formulating rules of International Law, but for removing causes of quarrel and promoting cordial relations between the different States. In his

* The League of Nations and its Problems. Three lectures by L. Oppenheim, M.A., LL.D., View of Professor of International Law in the University of Cambridge. Longmans, Green & Co. 6s. 6d.

A League of Nations with Arms Powers. By F. W. Keen LL.B. With a Preface by the Rt. Hon. Sir W. H. Dickinson K.B.E. G. P. Allen & Unwin, Ltd. 6d.

The Peace Conference and After. In introduction by Viscount Grey of Fallodon, K.G. 1. "Index of Freedom." II. Some Principles and Problems of the Settlement. Macmillan & Co. (Limited). 1s.

present pamphlet—"A League of Nations with Large Powers"—he emphasizes the importance of providing machinery for giving effect to changes due to national development. "A form of machinery that worked only in favour of vested interests and gave no scope for the development and expansion of growing organisms and the readjustment of relationships between them would be an inefficient substitute for war"; and for international machinery to be effective he postulates "the permanent association at one place of leading representatives of all the nations concerned." Starting from these and other principles which he enunciates, Mr. KEEN arrives at the same conclusion as Professor OPPENHEIM as to the basis of the League of Nations; it should be a development of The Hague Conference:—

"The international organization should be established as an outgrowth of the Hague Conference. It should have as its central idea the creation of a permanent council of leading statesmen representing the various nations of the Union, whose functions should include the making, amendment, and repeal of International Laws, the setting up of suitable tribunals for the settlement of international disputes, and the provision of means, within certain limits, for enforcing international rights and duties and restraining breaches of international peace."

In elaboration of this scheme Mr. KEEN explains the provisions of the Convention of 1907 for the "Pacific Settlement of International Disputes," and the draft Convention for the creation of a Judicial Arbitration Court, to which we have referred above, and he assigns as the work of the international organization the following four functions:—(1) The judicial function of settling disputes depending on the interpretation of treaties or on the existence of particular facts, or otherwise of a judiciable nature; (2) the semi-judicial function of settling disputes depending on considerations of expediency or of policy; (3) the legislative function of making, codifying, revising and repealing International Laws; and (4) the administrative function of managing the general business of the association and giving effect to its decisions. But the crucial test arises where it is proposed to make these decisions compulsory, and Mr. KEEN justifies the title of his pamphlet by proposals for equipping the League of Nations with such powers as would aim definitely and directly at the entire abolition of aggressive war between civilized peoples, and he works out in some detail a scheme for this purpose. We doubt, however, whether it goes beyond other current schemes which require the members of the League to prevent infringement of its principles with all their economic and military forces.

The third publication appeals to a wider audience than the others, and it is worthy of perusal by all who desire to follow the principles of the Peace Settlement. It consists of two essays which have been reprinted from the December number of the *Round Table* at the suggestion of the Research Committee of the League of Nations Union. The first paper—"Windows of Freedom"—discusses, in successive sections, the Balance of Power, the Freedom of the Seas, the League of Nations, America's Place in World Government, and the Redemption of Germany. "In peace, the sea power of Britain, the condition not merely of her own existence, but of the world's freedom, was exercised as though she held it in trust for a world government." Could Britain, then, for want of the mandate of a League of Nations, withhold its use in support of civilization in case of war? The writer answers with an emphatic "No"; yet he does not regard this as ruling out the League. The balance of power has outlived its time by a century, and, in his view, is now replaced by the new working alliance of the British and American Commonwealth. Practically he looks for the League of Nations to grow out of the coming Peace Conference by the "annual meeting of the Foreign Ministers themselves at some fixed centre, where a general secretariat with permanent offices can remain to collect and digest the business in readiness for the next meeting." And later:

"The proposal for an annual Conference is obviously feasible. It bars nothing. It leaves the future open for everything. It ensures the discussion of, and facilitates the approach to, whatever closer organization is possible. For the first time it ensures a regular and continuous discussion of international affairs and the principles at stake. It enables Foreign Ministers to get informed of each other's motives at first hand."

This is no doubt the minimum, and a good deal might be accomplished by direct intercourse combined with proper publicity. But the organization of the League is carried further in the second paper—"Some Principles and Problems of the Settlement." The writer of this paper limits membership of the League to States where authority is based upon the consent of the people over whom it is exercised, and, when formed, it will be "a co-operation of Commonwealths, an association of States cherishing common ideals, which have bound themselves together for certain definite purposes"; and, as regards the avoidance of war, it will deny liberty to go to war until the matter in dispute has been referred to an Inter-State Conference. But the writer differs from Prof. OPPENHEIM. "The institutions of the League of Nations must spring not from the Hague, but from Versailles"; but once started, the meeting of the principals must continue after the war at regular intervals. And later:—"The living experience of Versailles, rather than the academic dreams of the Hague, must be the starting point for all our international schemes." Each paper is intended to secure in the most natural way the result which the common sense of the world has resolved shall be attained—an organization which will provide in future a better way of settling international disputes than recourse to the organized slaughter of men.

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Lawyers in Parliament.

The following is a list of lawyers in the new Parliament:—

Constituency.	Member.	Party.	Barrister or Solicitor.
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BOROUGHES:			
Bermondsey,			
Rotherhithe	J. R. Lort-Williams	- Co. U.	- B
Camberwell,			
Peckham	Albion H. H. Richardson	- Co. L.	- B
Fulham, West	Sir Cyril S. Cobb	- Co. U.	- B
Hammersmith,			
South	Sir W. Bull	- Co. U.	- S
Kensington,			
South	Sir W. H. Davison	- Co. U.	- B
Lambeth,			
Kennington	H. G. Purchase	- Co. L.	- B
Southwark,			
S.E.	Commander J. A. Dawes	- Co. L.	- S
Stoke Newington	G. W. H. Jones	- Co. U.	- B
Woolwich,			
West	Sir H. Kingsley Wood	- Co. U.	- S
ENGLISH			
BOROUGHES:			
Birmingham,			
Edgbaston	Sir Francis Lowe	- Co. U.	- S retired
Bradford, East	Capt. C. E. Loseby	- Co. N.D.P.	- B
Bristol, Central	T. W. H. Inskip, K.C.	- Co. U.	- B
Ealing	Sir Herbert Neild, K.C.	- Co. U.	- B
East Ham,			
South	A. Clement Edwards	- Co. N.D.P.	- B
The			
Hartlepool	Mr. W. G. H. Gritten	- Ind. U.	- B
Ipwich	Capt. F. J. C. Ganzoni	- Co. U.	- B
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Do., Exchange	Leslie Scott, K.C.	- Co. U.	- B
Do., West Derby	Sir F. E. Smith, K.C.	- Co. U.	- B
Manchester,			
Moss Side	Major G. B. Hurst	- U.	- B
Northampton	C. A. McCurdy	- Co. L.	- B
Oldham	E. R. Bartley-Dennis	- Co. U.	- B
Portsmouth,			
Central	Sir T. A. Bramsdon	- L.	- S
Rochester,			
Gillingham	G. F. Hohler, K.C.	- Co. U.	- B
Salford, South	Sir C. A. Montagu Barlow	- Co. U.	- B
Sheffield,			
Hillsborough	Arthur Neal	- Co. L.	- S
Stockton-on-Tees	Capt. J. B. Watson	- Co. L.	- S
Tottenham,			
North	Major W. H. Prescott	- Co. U.	- B
Tynemouth	Charles Percy	- Co. U.	- S
West Ham,			
Upton	Sir Ernest E. Wild, K.C.	- Co. U.	- B
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York	Sir J. G. Butcher, K.C.	- Co. U.	- B
WELSH BOROUGHES:			
Carnarvon	D. Lloyd George	- Co. L.	- S
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Edinburgh,			
North	J. A. Clyde, K.C.	- Co. U.	- B

Constituency.	Member.	Party.	Barrister. or Solicitor.
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Glasgow, Bridgeton -	A. MacCallum Scott	Co. L.	B
Do. Hillhead -	Sir Robert S. Horne, K.C.	Co. U.	B
Do. Springburn -	F. A. Macquisten	Co. U.	B
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Devon, Barnstaple -	Capt. J. T. Tudor-Rees	L.	S
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Durham, Seaham -	Maj. E. Hayward	Co. L.	S
Essex, Colchester -	Sir L. Worthington-Evans	Co. U.	S
Gloucester, Thornbury -	Athelstan Rendall	Co. L.	S
Hertford, Hitchin -	Lord Robert Cecil, K.C.	Co. U.	B
Hertford, Watford -	Dennis Herbert	Co. U.	S
Kessex and Rutland, Grantham -	Lt.-Col. Edmund Royds	Co. U.	S
Lancaster, Mid- dleton and Prestwich -	Sir W. R. D. Adkins	Co. L.	B
Middlesex, Twickenham -	W. Joynson-Hicks	Co. U.	S
Nottingham, Bassettlaw -	Sir W. E. Hume-Williams, K.C.	Co. U.	B
Rushcliffe -	H. B. Betterton	Co. U.	B
Surrey, Chertsey -	Donald MacMaster (K.C., Canada)	Co. U.	B
Mitcham -	Dr. T. C. Worsfold	Co. U.	S
East Sussex, East Grin- stead -	W. S. Cantley	Co. U.	B
Warwick, Nuneaton -	H. H. Maddocks	Co. U.	B
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Yorkshire, North Riding, Cleveland -	Sir R. Park Goff	Co. U.	B
Yorkshire, West Riding, Barkston Ash -	Maj. G. R. Lane-Fox	Co. U.	B
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Carmarvon -	Maj. Charles E. Breese	Co. L.	S
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Inverness -	T. B. Morison, K.C.	Co. L.	B
Linlithgow -	James Kidd	Co. U.	S
Mid-Lothian and Peebles, Peebles and Southern -	Sir Donald Maclean	L.	S
Renfrew, Western -	Col. J. W. Greig, K.C.	Co. L.	B
IRISH BOROUGHES:			
Belfast, Dun- cain -	Sir Edward Carson, K.C.	U.	B
IRISH COUNTIES:			
Antrim, Mid- Donegal, East -	Major R. W. H. O'Neill	U.	B
Do., " South -	E. J. Kelly	N.	B
Down, East -	P. J. Ward	S. F.	S
Do., " North -	D. D. Reid	U.	B
Do., " West -	T. W. Brown, K.C.	U.	B
Do., " West -	D. M. Wilson, K.C.	U.	B
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Correspondence.

Conditions of Admission of Solicitors.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—I have read Mr. H. J. Saunders' letter in your current issue. I am glad he has taken the matter up, although he does not seem to have had time to give it careful consideration, nor does he advance any useful arguments one way or the other.

Although I believe that the terms of admission need revising, yet no one appreciates more fully than I the undesirability of putting any clog on the free recruitment of suitable candidates. The difficulty of combining the former process with the latter condition is admittedly great.

There must be something needing correction when such incidents as the following (all within my own knowledge) are of frequent occurrence. A builder in a certain town recently went from solicitor to solicitor with a piece of conveyancing business; the first solicitor quoted the scale fee, the second two-thirds, and the last (who obtained the business) less than one half the scale fee. The work was, so to speak, put up to auction, and the first solicitor, who refused to be a black-leg, was penalized for his honesty.

A firm of the highest repute were asked by a man holding a good appointment in a large company, for whom the firm acted as solicitors, to act for him on his purchasing a house. The scale fee was £15, and the work was well worth it. The practice of the firm is to charge the full proper fees in all ordinary cases, but in this instance they offered to accept £12, because the client was a servant of one of their best clients. The client, however, asked them to make a further reduction, and they agreed to take £10 in the special circumstances. Yet the next piece of business that man had was taken to a strange solicitor, who did it for half the scale fee! Surely "dumping" with a vengeance, this!

Take another, and still less creditable, side of the matter. I have known a solicitor (without a genuine clientèle, but "practising" on his own account) accept a fee for incorporating a company which he must have known to be a flat-trap, involving putting statements in a prospectus which he must have known to be untrue. The promotion was being exposed at the time in the leading financial journals, and he was careful to get a substantial part of his fee in advance.

A short time since a case was reported in the *Times* in which a borrower sought to have a blood-sucking loan transaction set aside on the ground that the lender was not a registered money-lender, and the lender raised the plea that he was a solicitor, not a money-lender. The judge, however, found that his real business was that of money-lending and upset the transaction!

My point is that the existence of this sort of thing is itself evidence that the profession is overcrowded (or, in the alternative, improperly crowded), because if it were not so, there would be sufficient legitimate work to go round at legitimate fees. I don't say that the sharper could be entirely eliminated by any process under the sun, but our profession has special need of honourable men, and special steps are necessary.

A capable admitted man of my acquaintance, fifty years of age, and with a first-class law degree, could only command a short time since a commencing salary of £200 per annum, and this from a well-known firm of repute, and with the present high cost of living. Does not this look like overcrowding? And how does such a princely income compare with that of the young medical man, fresh from his exams, who cannot now be obtained as a locum at much under £10 a week—with *keep*!

No restriction ought, it surely goes without saying, to be put which could prejudice men who have already entered the profession, and especially men who have been serving their country, but it is very clear, to my mind, that something should be done to make our profession one which it would pay a good man to enter, and to purge it, as far as possible, of the considerably large undesirable element, both by constituting some proper check upon recruitment, and by making our remuneration really remunerative (after providing for adequate staff salaries), and seeing that black-legs are brought to book.

On the latter head, the Council of the Law Society, despite much admirable work in many other directions, seems to adopt an indifferently supine attitude, and it might well take a cue from the Stock Exchange Committee.

H. ARNOLD WOOLLEY.

High Lea, Wembley, Middlesex, 6th January, 1919.

Building Society Mortgages and Indorsed Receipts.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—In an abstract received recently by us on behalf of a purchaser, certain building society mortgages were abstracted with the ordinary statutory receipts. We raised in each case the

requisition "in whom did the indorsed receipt vest the property? Please state who paid the redemption money, and to whom (if not the mortgagor) the redemption money was due at the date of the receipt."

Replies to these requisitions were refused, and the vendor's solicitors alleged that the mere absence of any such information was a sufficient abstract to show that the statutory receipt vested the property in the mortgagor.

The practice with regard to indorsed receipts of this description is very loose, and the effect of the case, *Crosbie-Hill v. Sayer* (1908, 1 Ch. 866), appears to be commonly overlooked in practice.

It is acknowledged that the requisitions above referred to are still incomplete in form, and we should be glad to have your views on the duty of a purchaser's solicitor in such circumstances.

A. AND B.

[We hope to consider this letter next week.—ED., S.J.]

CASES OF LAST SITTINGS.

Court of Appeal.

COHEN v. ROTHFIELD. No. 2. 4th and 11th December.

PRACTICE—JURISDICTION IN PERSONAM—RESTRAINING OPPRESSIVE OR VEXATIOUS PROCEEDINGS—ACTION COMMENCED IN SCOTLAND—SIMILAR ACTION INSTITUTED IN ENGLAND—CIRCUMSTANCES IN WHICH INJUNCTION WILL BE GRANTED.

An action was threatened in Scotland, and thereupon the defendant commenced in England an action claiming similar relief, and moved for an injunction to stay the trial of the Scotch action (which had been instituted) until his action had been disposed of. *Shearman, J.*, made an order staying the action.

Held, that as the plaintiff in the Scotch action had shown greater diligence than the defendant in prosecuting his action, and the defendant had failed to establish that the plaintiff would get no advantage by proceeding with his action, the Court in such circumstances ought not to restrain the plaintiff from proceeding with an action he was otherwise entitled to bring unless satisfied that the prosecution of the action was vexatious or oppressive. Here the defendant had failed to establish that the action was vexatious or oppressive, and the injunction must be discharged.

Appeal by the defendant from an order of *Shearman, J.*, made on 20th November, 1918, whereby he restrained the defendant until after the trial of this action or further order from proceeding with an action brought by him against the plaintiff in Scotland on 14th September, 1918. The litigation arose out of the mutual obligations of the plaintiff and the defendants under two verbal agreements. Cohen carried on a moneylender's business at Newcastle-upon-Tyne and at Glasgow; and Rothfield was his manager, on the terms of getting one-fourth profits and paying one-fourth losses. Rothfield demanded an account; Cohen alleged the receipt by Rothfield of secret commissions. Rothfield thereupon threatened an action in Scotland, in respect of the Scotch business, if accounts were not rendered in a week. Cohen, within the week, issued his English writ for an account as agent and for damages for misconduct as agent. Rothfield then issued his Scotch writ for an account of the Scotch business. Rothfield had got his action to the stage when it was nearly ready to be set down for trial; but Cohen had done nothing in his English action. Cohen then applied in England to restrain Rothfield from proceeding with his Scotch action, on the ground that it was vexatious, and *Shearman, J.*, granted him an injunction and gave leave to appeal. *Cur. adv. vult.*

Scrutton, L.J., in the course of his judgment, said that when it was proposed to stay an action on the ground that another was pending, and the action to be stayed was not in the Court asked to make the order, the same result was obtained by restraining the person who was bringing the second action from proceeding with it. But as the effect was to interfere with proceedings in another jurisdiction, this power should be exercised with great caution to avoid even the apprehension of undue interference with another court. Where an English court was asked to stay an action begun outside the British Empire, on the ground that the plaintiff was also plaintiff in an English action, the burden was on the person asking for relief to satisfy the English court that the plaintiff in the foreign court could not obtain any advantage from the foreign procedure that he would not obtain in the English court. It was not *prima facie* vexatious for the same plaintiff to commence two actions relating to the same subject matter, one in England and the other abroad, but the applicant had there to shew a substantial case of vexation resulting from the identity of proceedings. Applying these principles to the present case, Rothfield had brought a perfectly proper action in Scotland to take accounts of a business carried on in Scotland, and by arrestment had obtained a charge on certain funds. He announced his intention of bringing this action before Cohen commenced an action in England,

and had prosecuted it with much greater diligence than Cohen had in England. Cohen gave no evidence to shew that Rothfield would obtain no advantage by the Scottish action, and, so far as the English action related to Scotch affairs, the evidence could more easily be taken in Scotland than England. He had failed to discharge the burden which rested on him, and the order staying the action in Scotland must be discharged.

Eve, J., said that to restrain a man from proceeding with an action which *prima facie* he had a right to bring was a very serious thing; see *per Fletcher Moulton, L.J.*, in *Re Connolly Bros. (Limited)* (1911, 1 Ch., at p. 746). The jurisdiction to make the order was a jurisdiction in *personam*, and had nothing to do with any conflict between the tribunals: *Bushby v. Munday* (5 Madd. 307). It was invoked here on the ground that another action between the same parties, and for substantially the same relief, was already commenced. The general principle was that the Court would exercise the jurisdiction when the circumstances were such as to satisfy it that continued prosecution of both actions would be oppressive or vexatious. The Court must, therefore, satisfy itself in each case that the state of things existing was such as to justify the exercise of the jurisdiction. (His lordship dealt with the facts.) *Prima facie* the agreements appeared to disclose a partnership at will. To the writ by Cohen the defendant responded by the institution, on 14th September, in the Scottish courts of proceedings, in which he claimed an account of the transactions between himself and Cohen from 1st September, 1915, and judgment for what, on taking the accounts, should be certified to be due. In his affidavit he claimed the injunction on the ground that, except when away, as he then was as a soldier, he resided at Sunderland, the books of the business were kept at Stockton; the monies, he claimed, were obtained in a large measure from the Newcastle customers, and that the Scottish action was not *bona fide*. To these might be added the obvious contentions that the Scotch proceedings were commenced with knowledge of the English ones, that the relief claimed in each case overlapped, and that a judgment, as claimed in the Scotch, would not really determine finally the rights of the parties, unless there had been accounts stated between them down to September, 1915, of which there was no evidence. These considerations, in his lordship's opinion, were quite insufficient to warrant the Court in restraining the defendant from prosecuting the Scotch action. The case made by the plaintiff fell far short of establishing that the further prosecution of the Scottish action would be oppressive and vexatious. The order of *Shearman, J.*, ought, therefore to be discharged.—Appeal allowed.—COUNSEL, for the appellant, *J. B. Matthews, K.C.*, and *Zeffer*; for the respondent, *Lowenthal and Simey*. SOLICITORS, *Lazarus & Son; Thorogood, Tabor, & Hardcastle*.

[Reported by *ERSKINE REID, Barrister-at-Law.*]

High Court—Chancery Division.

Re **STONEHAM. STONEHAM v. STONEHAM.** P.O. Lawrence, J. 22nd November; 4th December.

GIFT—CHATTELS—DELIVERY—ANTECEDENT POSSESSION BY DONEE.

Where chattels capable of delivery are already in the possession of the intended donee at the time of the parol gift, no further act of delivery is necessary in order to pass the property. There is no distinction in principle between a delivery antecedent to the gift and a delivery concurrently with or subsequently to the gift.

Cochrane v. Moore (1890, 25 Q. B. D. 57) explained.

Cain v. Moon (1896, 2 Q. B. 283) followed.

This was an administration action, and an inquiry had been obtained therein as to whether certain chattels, including some old armour, belonged to R. Stoneham or formed part of the testator's estate at the time of his death. The Master found that the chattels belonged to R. Stoneham, and F. Stoneham took out a summons to vary the Master's certificate. The facts were that the testator had two residences, and the testator's grandson, R. Stoneham, went to live in the one in which the armour was at the request of the testator, and the testator occasionally stayed there, but spent most of his time at his other residence. R. Stoneham alleged that in the spring of 1913 the testator verbally gave him these chattels, and that they had remained in his possession ever since that date. He also relied on his appointment as executor of the testator's will, and a gift under that will to him of the furniture and effects at this particular house. F. Stoneham contended that there had been no gift of the chattels, and that the gift in the will referred to other chattels, and that, if there had been a parol gift, it did not pass the property as it was not accompanied by delivery. He relied on *Cochrane v. Moore* (1890, 25 Q. B. D. 57). R. Stoneham contended that a further delivery was unnecessary, and relied on *Cain v. Moon* (1896, 2 Q. B. 283).

P. O. LAWRENCE, J., in a considered judgment, after stating the facts, said: On the evidence I find that the testator gave the chattels to R. Stoneham in the spring of 1913. On the point of law I hold that where chattels capable of delivery are already in the possession of the intended donee at the time of the parol gift, no further act of delivery is necessary in order to pass the property. The foundation of the rule in *Cochrane v. Moore* (1890, 25 Q. B. D. 57) is that, in

order to constitute a perfect gift by parol of chattels capable of delivery, the donee must have had the chattels delivered into his possession by the donor or by someone on his behalf. In principle there is no distinction between a delivery antecedently to the gift and a delivery concurrently with or subsequent to the gift, nor is there any reason or principle why the rule should not apply where the chattels have been delivered to the donee before the gift as bailee, or in any other capacity, so long as they are actually in his possession at the time of the gift to the knowledge of the donor. Lastly, even if the gift in 1913 was incomplete, the confirmation of the gift by the will, and the appointment of R. Stoneham as executor, made the gift complete.—COUNSEL, Sir John G. Butcher, K.C., and MacSweeney; the Hon. Frank Russell, K.C., and H. Freeman; Jenkins, K.C., and H. Freeman; Ward Coldridge, K.C., K. Preedy, and Owen Thompson. SOLICITORS, H. G. Campion & Co.; Stoneham & Sons.

[Reported by L. M. MAX, Barrister-at-Law.]

High Court—King's Bench Division.

RICHARDS v. COLEMAN. Div. Court. 11th December.

POOR LAW—MARRIED WOMAN—REQUIREMENT OF RELIEF—EVIDENCE—ORDER ON HUSBAND—POOR LAW AMENDMENT ACT, 1868 (31 & 32 VICT. c. 122), s. 33.

Where guardians have granted a married woman relief without her husband, and apply to justices, under section 33 of the Poor Law Amendment Act, 1868, for an order upon the husband to support his wife, the justices ought to consider all the circumstances, and inquire whether the wife required, that is to say needed, the relief granted; and if there is evidence upon which they may come to the conclusion that the wife did not need relief, they may refuse to make the order.

Case stated by the stipendiary magistrate for Merthyr Tydvil. An information was preferred by the appellant Richards on 4th June, 1918, against the respondent Coleman for allowing his wife, Elizabeth Coleman, to become chargeable to the Merthyr Tydvil Union. The respondent and Elizabeth Coleman had been married two years. They resided at first with the wife's parents, and afterwards with the husband's mother. The respondent was a draper's traveller, earning £2 a week. The wife left the respondent at his mother's house, and went back to her parents. On 5th February, 1918, the respondent appeared before the stipendiary in answer to a summons issued on the information of the wife, whereby he was charged with, having wilfully neglected to provide her with reasonable maintenance, and by such neglect caused her to live separate and apart from him. The evidence shewed that, after the wife left the respondent at his mother's house, he had offered her furnished apartments in Castle-street, Merthyr Tydvil, but she objected to them. At the hearing the case was adjourned to enable the respondent to look for another house, and in the meantime he undertook to pay his wife 20s. a week. Subsequently he found furnished apartments in High-street, Merthyr Tydvil, but the wife objected to them. He then offered her furnished apartments near the Avenue, Merthyr Tydvil, but she refused to go and see them. On the hearing being resumed, the case was further adjourned for fourteen days to give the wife an opportunity to look for a house or apartments. On 26th March the respondent for the third time appeared on the information, when it was shewn that the wife had made no effort to find either a house or apartments, and still refused to live with the respondent. During the adjournment the respondent had paid his wife the agreed 20s. a week. The stipendiary magistrate dismissed the summons, being satisfied that the wife's objections to the said furnished apartments were unreasonable, and that the respondent had not wilfully neglected to provide her with reasonable maintenance. On 20th April, 1918, the wife applied to the guardians of the Merthyr Tydvil Union for relief and represented to them that her husband was not maintaining her, and that she had one child, born on 20th September, 1917. The guardians granted her 15s. a week outdoor relief, and called on the husband to repay. On 4th May, 1918, the respondent attended a meeting of the guardians, and again offered to provide a home for his wife, but told the guardians he was not prepared to contribute towards the outdoor relief granted to her. Upon the hearing of the information on 4th June, 1918, evidence substantiating the above facts having been given, the stipendiary magistrate dismissed the information.

DARLING, J.—The decision of the stipendiary magistrate was perfectly right. The proceedings were taken under section 33 of the Poor Law Amendment Act, 1868, which provides that when a married woman "requires" relief without her husband, the guardians may apply to the justices for an order to pay towards the cost of the relief to the wife. It was admitted by counsel for the appellant that the word "requires" in that section means "needs." It is not equivalent to demands or requests. That is the effect of the decision in *Birmingham Union v. Timmins* (1918, 2 K. B. 189), to which my brother Avory, J., and myself were parties. The result, therefore, is that it is only when a wife needs relief that the proceedings are justifiable at all. The wife in the present case obtained relief from the guardians for herself and child, and the guardians took proceedings before the stipendiary magistrate for an order that the husband should pay to them the money which they had allowed to the wife. The

magistrate had a perfect right to go into the question, and he was not bound to hold that the guardians had settled the matter by the fact of their having granted the wife relief. It was his duty to consider all the circumstances, and see if the wife required, that is needed, relief. On the facts, either admitted or proved, he came to the conclusion that she did not require any such relief, as her husband was ready to maintain her and the child, and she would not live with him in any residence that he offered her. If the guardians choose to go on allowing the wife relief that was a matter for themselves and the ratepayers. There was ample evidence before the magistrate for the course the magistrate took. The wife did not need relief at all, and he was right in dismissing the application.

AVORY, J., and SALTER, J., concurred.—COUNSEL, Lincoln Reed, for appellants; Artemus Jones, for respondents. SOLICITORS, Gwilym Jones, Llewellyn & Co., Merthyr Tydvil; Frank T. James, Merthyr Tydvil.

[Reported by G. H. KNOTT, Barrister-at-Law.]

FOX & SON v. MORRIS, GRANT & CO. A. T. Lawrence, J. 3rd December.

NEGLECT—ACCOUNTANTS—PREPARATION OF BALANCE-SHEETS—OMISSION TO EXAMINE BANK PASS-BOOK—FALSE ENTRIES BY CLERK—DAMAGES.

Accountants, who were employed to prepare balance-sheets from the books of a business firm, stated the amount of "cash at the bank" as it appeared in the books, without examining the bank pass-book, or obtaining any statement in reference thereto from the bank, or informing the firm that they had not done so. The entries in the book were falsely made by a fraudulent clerk, whose defalcations were not discovered, as they would have been if the entries in the books had been checked by reference to the pass-book.

Held, (1) that the accountants were negligent in not comparing the entries in the books with the pass-book, or obtaining a certificate from the bank, or informing the firm that they had not done so; and (2) that they were liable in damages for the amount of the defalcations of each year which would have been discovered if the proper steps had been taken as to the pass-book.

Action tried without a jury. Plaintiffs claimed damages for negligence. They employed the defendants as accountants to prepare annual balance-sheets for their businesses of linen manufacturers and warehousemen in London and Leeds. From 1911 to 1916 half-yearly balance-sheets were prepared by the defendants, and each of them was alleged to be incorrect and misleading as to the financial position of the businesses, and to be prepared unskillfully and negligently, inasmuch as each contained a specific statement as to the amount of "cash at bank and in hand" or "overdraft at bank," or "cash at London County and Westminster Bank," which was incorrect. The defendants were alleged to be unskillful and negligent in that it was their duty, before presenting the balance-sheets, to verify from the bank pass-books of the particular business, or from a certificate given by the manager or other official of the bank, that the said statement was an accurate statement of the account, but the defendants neglected to take either of such steps. During the years from 1911 to 1916 a clerk of the plaintiffs misappropriated large sums of money, and the plaintiffs charged that it was in consequence of the defendants having negligently prepared the balance-sheets, as above alleged, that the fraud was not discovered as it would otherwise have been. The defendants admitted they had not verified the entries in the plaintiffs' books from the pass-books, and denied that it was their duty to procure the production of such pass-books or to obtain a certificate from the bank manager or other official. The terms of their employment, they said, were that they should check the postings and additions in the plaintiffs' books, make out a trading profit and loss account, and prepare balance-sheets therefrom, and close the private ledger in accordance therewith. Further, or otherwise, it was no part of their employment to vouch or audit the plaintiffs' accounts.

A. T. LAWRENCE, J., said the whole question of the defendant's liability turned on the terms of the employment. The defence was that the accountants, according to the original verbal arrangement, were not employed to audit the accounts fully and generally, but only to check the postings and additions in the firm's books, and make out a profit and loss account and prepare balance-sheets, and that under these terms they were not responsible for the documents they prepared. It was true they were not employed as auditors fully and generally, but they were employed under a specific engagement, as the result of an interview between the plaintiffs and the defendants, under which they were to check the books, and it was understood that it was not to be a full audit. There was no requirement on the part of the plaintiffs that the defendants should verify everything. The question was whether defendants were wanting in due care and skill in not having in any way checked the amounts appearing in the cash book as "cash in hand" and "at the bank." According to the evidence of accountants, it appeared that in the preparation of balance-sheets the cash at the bank and in hand ought to be stated, and either the pass-book looked at or a certificate obtained from the bankers; or, if that was not done, the client must be told that this course of proceeding had not been followed. But the defendants never told the plaintiffs that they were not following this course. There was nothing in the retainer which relieved the defendants from seeing that the cash was accurately stated in the balance-sheet. The pass-book would have shewn that the money stated was not at the

bank, and also that the figures in the books had been inserted by the defaulting clerk. There was nothing to shew that the defendants were employed on a mere mechanical duty, though possibly such might be the terms of an engagement; but it was not so in the present case. Judgment must be for the plaintiffs for damages, to be ascertained after the balance-sheet of December, 1912, which would have revealed the fraud if the proper steps had been taken as regards the pass-book.—COUNSEL, *J. B. Matthews, K.C., Stuart Bevan, and G. Wightman Powers*, for the plaintiffs; *Lewis Thomas, K.C., and Green*, for the defendants. SOLICITORS, *W. H. Martin & Co.; Harold Gabriel Morrish*.

[Reported by G. H. Kwoy, Barrister-at-Law.]

New Orders, &c.

War Orders and Proclamations, &c.

The *London Gazette* of 3rd January contains the following:—

1. An Order in Council, dated 3rd January, making an addition to the *Statutory List* under the Trading with the Enemy (Extension of Powers) Act, 1915, as follows:—

Morocco (1).

There are also various removals from and variations in the List. A List (The Consolidated List No. 68A) consolidating all previous Lists up to and including that of the 15th November, 1918, together with List No. 69 of 29th November, List No. 70 of 13th December, List No. 71 of 20th December, and the present List, contain all the names which up to this date are included in the *Statutory List*.

2. An Order in Council, dated 3rd January, further amending the Proclamation, dated 10th May, 1917, and made under section 8 of the Customs and Inland Revenue Act, 1879, and section 1 of the Exportation of Arms Act, 1900, and section 1 of the Customs (Exportation Prohibition) Act, 1914, whereby the exportation from the United Kingdom of certain articles to certain or all destinations was prohibited.

The *London Gazette* of 7th January contains the following:—

3. An Order in Council, dated 7th January, as to prohibition of exportation under the Proclamation of 10th May, 1917, of which the following is the operative part:—

That the articles indicated in the Proclamation of the 10th day of May, 1917, as amended and added to by subsequent Orders of Council, and by the Proclamation of the 18th day of December, 1918, as being prohibited to be exported to all destinations in European and Asiatic Russia and in other foreign countries in Europe and on the Mediterranean, except France and French Possessions, Italy and Italian Possessions, Belgium, Portugal, Greece, Spain and Morocco, and to all ports in any such foreign countries, should be prohibited to be exported to all destinations in European and Asiatic Russia and in other foreign countries in Europe and on the Mediterranean, except France and French Possessions, Italy and Italian Possessions, Belgium, Portugal, Greece, Spain, Morocco, and Palestine and Syria as far north as a line from Alexandretta to Aleppo inclusive, and as far east as the Hejaz railway inclusive, and to all ports in any such foreign countries.

4. A further Notice that licences under the Non-Ferrous Metal Industry Act, 1918, have been granted by the Board of Trade to certain companies, firms and individuals. The present List includes some sixty-four names.

Treasury Notice.

NOTICE BY THE LORDS COMMISSIONERS OF HIS MAJESTY'S TREASURY IN CONNECTION WITH THE DEFENCE OF THE REALM (SECURITIES) REGULATIONS OF 24th JANUARY, 1917.

The Lords Commissioners of His Majesty's Treasury announce that they have given general permission under the provisions of the Defence of the Realm (Securities) Regulations of 24th January, 1917, for the sale abroad and until further notice of any Foreign, Colonial and Indian securities to which the Regulations relate (whether or not the securities have remained in physical possession in the United Kingdom since 30th September, 1914), and the shipment abroad of the securities in completion of any such sales subject to the following limitations and conditions:—

(1) Such permission shall apply only to securities which have not at the time of sale been included in any Order issued by the Treasury under the Regulations.

(2) The proceeds of any such sales shall be remitted to this country forthwith and retained here.

(3) The proceeds of drawn securities or maturing securities collected abroad shall be remitted to this country forthwith and retained here in the same manner as the proceeds of any sales of securities.

(4) All existing Regulations in regard to dealing with securities which have not been continuously in physical possession in the United Kingdom, or which have been in enemy ownership, or in which any enemy interest is concerned, will continue to apply in full force to all dealings under this permission.

(5) Before any securities are sent abroad for registration and return, a form of permit for the re-import of such securities under the terms of

the Prohibition of Import (No. 21) Proclamation, 1917, must be obtained from the American Dollar Securities Committee, 19, Old Jewry, E.C.

(6) The notice issued by the Lords Commissioners of His Majesty's Treasury under date 30th January, 1917, is revoked.

1st January.

[*Gazette*, 3rd January.]

Army Council Orders.

NOTICES OF CANCELLATION OF ORDERS.

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby give notice that, as from the 6th day of January, 1919, the Order of the Army Council, dated the 2nd day of May, 1918 [62 SOLICITORS' JOURNAL, p. 539], under Regulation 24b of the Defence of the Realm Regulations, is hereby cancelled.

28th December.

[*Gazette*, 3rd January.]

[The Order forbade the despatch of printed or written matter to foreign countries without a permit.]

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby give notice that, as from the 6th day of January, 1919, the Order of the Army Council, dated the 2nd day of May, 1918 [62 SOLICITORS' JOURNAL, p. 539], under Regulation 24 of the Defence of the Realm Regulations, is hereby cancelled.

28th December.

[*Gazette*, 3rd January.]

[The Order forbade the posting of packets containing newspapers, &c., to foreign countries without a permit.]

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby give notice that the Cotton Duck and Canvas (Sales Restriction) Order, 1918, is cancelled.

31st December.

[*Gazette*, 3rd January.]

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations the Army Council hereby give notice that the Jute (Restriction of Consumption) Order, 1918, is cancelled.

31st December.

[*Gazette*, 3rd January.]

THE SOLE LEATHER (CONDITIONS OF SALE) AMENDMENT ORDER, 1919.

Whereas by the Sole Leather (Conditions of Sale) Order, 1917, as amended by the Sole Leather (Conditions of Sale) Order, 1918, the Army Council regulated upon certain conditions the sale and delivery of any payment for certain Sole Leather:

And whereas it is expedient that the said Orders should be amended:

Now therefore, in pursuance of the powers conferred upon them by the Defence of the Realm Regulations, and of every other power enabling them in that behalf, the Army Council hereby order as follows:—

1. The Sole Leather (Conditions of Sale) Order, 1917, shall be amended—

(a) by substituting the words "1,000 bends or their equivalent in backs or butts or ten tons of shoulders" for the words "500 bends or their equivalent in backs or butts or five tons of shoulders" in Clause 6 of the said Order;

(b) by substituting the Schedule hereto annexed for Schedule A annexed to the said Order.

2. The Sole Leather (Conditions of Sale) Order, 1918, is hereby cancelled.

3. This Order shall come into force on the 1st day of January, 1919.

4. This Order may be cited as the Sole Leather (Conditions of Sale) Amendment Order, 1919.

[Schedule of Leathers.]

31st December.

[*Gazette*, 3rd January.]

Ministry of Munitions Orders.

THE STEEL AND IRON (PURCHASE AND RETURN) ORDER, 1919.

The Minister of Munitions, in exercise of the powers conferred upon him by the Defence of the Realm Regulations and all other powers thereunto enabling him, hereby gives notice and orders as follows:—

(1) As from the date hereof until further notice the Steel Supplies (Metallurgical Coke, Iron and Steel) Permit, 1916, issued by the Minister of Munitions, dated the 1st November, 1916, as varied by subsequent notices, shall take effect as if the following condition were incorporated among the conditions therein contained, namely,

On and after the seventh January, 1919, until further notice, no purchase shall be made or delivery taken of Iron or Steel by any person holding at the date of such purchase any stock of Iron and Steel, or either of them, exceeding by more than 100 tons the amount of such stock held by him on the 31st October, 1915, or the 31st October, 1918, whichever shall be the greater amount, except under and in accordance with a special permit from the Minister of Munitions, which will only be granted on the condition of the permit holder repaying to the Minister of Munitions certain subsidies in respect of all such stock held by such permit holder on the 30th April, 1919, which may be so in excess as above mentioned.

(2) All persons who shall on the 30th April, 1919, hold a stock of Iron and Steel, or either of them, of 100 tons or more shall, within fourteen days after the 30th April, 1919, furnish to the Controller of Iron and Steel Production, Ministry of Munitions, London, a true and complete return of the stock of Iron and Steel held by them (a) on the 31st October, 1915, or the 31st October, 1918, whichever shall be the greater, (b) on the 30th April, 1919, on a form which may be obtained on application to the Controller at the above address.

(3) All Iron and Steel not actually incorporated in any building or structure or work in progress shall, for the purposes of this Order and the condition above mentioned, be deemed to be stock, and the Iron and Steel referred to shall not include scrap.

(4) This Order may be cited as the Steel and Iron (Purchase and Returns) Order, 1919.

7th January.

[Gazette, 7th January.

NOTE.

The Steel and Iron (Purchase and Returns) Order of 7th January, 1919, requiring a permit for the purchase of Iron and Steel which may be put into stock during the period of subsidies is not intended, and will not be used by the Ministry, to control or in any way fetter the freedom of the market in Iron and Steel products. All persons applying to the Controller of Iron and Steel production at the Ministry of Munitions will automatically be granted a permit, subject only to acceptance of the condition that they will pay the Ministry a rebate of subsidies in the event of stocks being accumulated on May 1st in excess of the amount defined in the Order. It is suggested that all persons whose stocks are likely, during this period, to exceed 100 tons should at once, and without regard to their immediate operations, apply to the Ministry and have their names included on the list of those licensed to deal during the subsidy period, without restriction.

THE BALL BEARINGS (SUSPENSION) ORDER, 1919.

In reference to the following Order made by the Minister of Munitions, namely:—

The Ball Bearings Order, 1917, dated the 1st November, 1917, the Minister of Munitions hereby orders as follows:—

(1) The operation of the said Order is hereby suspended on and after the 7th day of January, 1919, until further notice.

(2) Such suspension shall not affect the previous operation of the said Order or the validity of any action taken thereunder or the liability to any penalty or punishment in respect of any contravention or failure to comply with the said Order prior to such suspension or any proceeding or remedy in respect of such penalty or punishment.

(3) This Order may be cited as The Ball Bearings (Suspension) Order, 1919.

7th January.

[Gazette, 7th January.

Food Orders.

THE APPLES (PRICES) ORDER, 1918.

1. Interpretation.]

2. Sales to be in authorized packages and by weight.]—Except where apples are sold in such packages as are specifically mentioned in the Schedule to this Order and except as hereinafter provided, apples shall not be sold or bought otherwise than by weight.

3. Maximum prices not to be exceeded.]—A person shall not sell or offer or expose for sale, or buy or offer to buy any apples at prices exceeding the maximum prices for the time being applicable under this Order.

4. Grower's price for home grown apples.]—(a) Until further notice, on the occasion of a sale of Home-grown Apples by the first owner (not being a sale by retail) the maximum price shall be at the rate applicable under Part I of the Schedule to this Order: Provided that if a commission agent is employed by the first owner in the sale of the apples such rate shall be increased by 10 per cent.

(b) The maximum price prescribed by this clause is fixed on the basis that the apples are delivered at the seller's premises.

(c) Addition for packages.]

(d) If the apples are sold upon any other terms, a corresponding variation shall be made in the maximum price.

5. First owner's price for imported apples.]—(a) Until further notice, on the occasion of a sale of imported Apples by the first owner the maximum price shall be a price at the rate applicable under Part II of the Schedule to this Order.

(b) When railway, canal or cartage charges in the United Kingdom have been incurred by the first owner, the maximum price authorized by or pursuant to this clause may be varied by the addition of such charges.

(c) The maximum price on a sale by the first owner is fixed on the basis that the apples are delivered at the place where they are lying at the time of sale.

(d) No additional charges shall be made for packing or packages.

(e) Nothing in this clause shall prevent the first owner from making the customary delivery charges.

6. Maximum prices on wholesale sales by persons other than the first owner.]

7. Terms of payment.]—All the foregoing maximum prices are fixed on the basis that payment is to be Net Cash within 7 days of delivery, and that moneys then unpaid shall carry interest at a rate not exceeding 5 per cent. per annum or Bank rate, whichever should be the higher.

8. Retail prices.]—(a) Until further notice on the occasion of a sale by retail of any apples the maximum price shall be at the rate applicable under Part 3 of the Schedule to this Order.

(b) No charge shall be made for packing packages or giving credit or making delivery, except that if apples are delivered at the buyer's request otherwise than at the seller's premises, an additional charge may be made for delivery not exceeding a sum at the rate of 4d. per lb. or any larger sum actually and properly paid by the seller for such delivery.

(c) Notwithstanding the provisions of this Order apples may be sold by retail otherwise than by weight, provided that the maximum price is not exceeded and provided that the seller weighs the apples if so required by the buyer.

(d) In calculating the price on a sale under this clause any broken 4d. shall count as a 4d.

9. Extension or variation of Order by notice.]—The Food Controller may from time to time by notice under this Order vary the prices mentioned in the Schedule to this Order.

10. Prices to be exhibited.]

13. Exception.]—This Order shall not apply to:—

(a) The sale or purchase of canned, bottled or preserved apples.

(b) The sale of apples by a caterer in the ordinary course of his catering business for consumption on the premises.

14. Penalty.]

15. Revocation.]—The Apples and Perry Pears (Sales) Order, 1918 [S. R. & O., No. 1200 of 1918], is hereby revoked as on the 16th December, 1918, without prejudice to any proceedings in respect of any contravention thereof.

16. Title and commencement.]—(a) This Order may be cited as the Apples (Prices) Order, 1918.

(b) This Order shall come into force on the 16th December, 1918.

4th December.

SCHEDULE.

PART I.

HOME-GROWN APPLES.

[First Owner's Price.]

PART II.

IMPORTED APPLES.

[First Owner's Prices.]

PART III.

Retail Price, 9d. per lb.

THE SEED POTATOES ORDER.

1. It shall be the duty of a person on the occasion of a sale of potatoes as or for seed—

(a) to furnish to the buyer on or before delivery of the potatoes a declaration, either in the relative invoice or in some other written document, correctly stating the class, variety and dressing of the potatoes sold. In cases where seed potatoes are sold from crops immune from Wart Disease which were inspected when growing in 1918 and certified as reasonably free from rogues by the Board of Agriculture and Fisheries as regards potatoes grown in England or Wales, or by the Board of Agriculture for Scotland as regards potatoes grown in Scotland, the declaration shall also correctly state the serial number of the relative certificate;

(b) to deliver only such potatoes as correspond with the declaration.

2. It shall be a defence to any proceedings in respect of any false statement in the declaration referred to in Clause 1 if the person charged prove that he did not know and could not reasonably have ascertained that the statement was false.

3. For the purposes of this Order the classes of potatoes sold as or for seed shall be:—

Class I. (Scotch).

Class I. (Irish).

Class II. (once grown).

Class III.

The class "Class I. (Scotch)" shall include only potatoes grown in Scotland.

The class "Class I. (Irish)" shall include only potatoes grown in Ireland.

The class "Class II. (once grown)" shall include only potatoes grown in England or Wales in respect of which documentary evidence can be produced shewing that they were grown in the year 1918 from seed grown in Scotland or Ireland in the year 1917.

The class "Class III." shall include all potatoes other than those comprised in the other classes.

5. (a) This Order may be cited as the Seed Potatoes Order, 1918.

(b) This Order shall not apply to sales in Ireland of potatoes sold for planting in Ireland.

(c) This Order shall come into force on the 16th December, 1918.
6th December.

REVOCATION OF ORDERS.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations the Food Controller hereby revokes the Cake and Pastry Order, 1917 (S. R. & O., No. 372 of 1917), and clause 2 of the Sugar (Confectionery) Order, 1917 (S. R. & O., No. 65 of 1917).
7th December.

THE RATIONING ORDER, 1918. DIRECTIONS FOR CATERING ESTABLISHMENTS.

1. Except with the consent of the persons supplied, not more than one coupon shall be required or detached by or on behalf of a caterer in respect of any meat meal supplied by him.

2. No coupon, half coupon, over-time meal ticket or other authority shall be required or detached by or on behalf of a caterer in respect of any meal supplied to any person where the only meat or meat article served is of a class for the time being authorized by the Food Controller to be supplied as or as part of a meat meal without surrender of a coupon.

3. These directions shall come into force on the 16th December, 1918.

9th December.

The following Orders have also been issued:—

Edible Oils and Fats and Oil and Fat Compounds (Distribution) Order, 1918. Margarine (Distribution) Order, 1918: Directions under. 30th November.

The Horseflesh (Maximum Prices) Order, 1918. 30th November.
The Canned Fish (Retail Prices and Distribution) Order, 1918.
5th December.

A Minister of Justice.

The following are the recommendations of the Machinery of Government Committee in relation to "Justice":—

30. With these objects in view we have formulated the following proposals, which would have the effect of apportioning the functions of the central Government in relation to Justice broadly between the Lord Chancellor's Department and the Department of the Secretary of State for Home Affairs, who is already closely concerned with numerous matters in this sphere. The Lord Chancellor would, under such a scheme, be substantially relieved from the extreme pressure now falling upon him.

31. If the House of Lords is converted into a new form of Second Chamber it seems probable that its judicial functions will cease. They would revert naturally to the Sovereign in a Committee of Council consisting of Judges who would be Privy Counsellors. In other words, these functions would be absorbed by a body akin to the present Judicial Committee of the Privy Council, which would be the Supreme Tribunal, not only for the Empire outside the United Kingdom, but for England, Scotland, and Ireland as well. Instead of Appeals from the United Kingdom lying, as at present, to the Sovereign in his High Court of Parliament, they would lie, with those of the entire Empire, to the Sovereign in Council. The Judicial Committee of the Privy Council would sit in as many divisions as were required, and these divisions would have their appropriate procedure and forms of judgment, which might vary, and would not necessarily follow those at present in use. It would probably be found desirable to disturb the existing procedure in cases from the Dominions as little as possible unless the Dominions desired a change.

32. We think that it is desirable to retain, with considerable modifications which we proceed to describe, the position of the Lord Chancellor as in theory President of the Supreme Tribunals, but essentially as a great Officer of State with high responsibility. We have reasons for this conclusion which are not based on sentiment, but even on this ground it should not be forgotten that the office of Lord Chancellor is one deeply rooted in the traditions of the nation. The Lord Chancellor is the oldest standing of the Ministers of the Crown. He has kept the Great Seal ever since there was a Great Seal to keep. He has, until quite recently, been a member of the Cabinet ever since there was a Cabinet, and he has combined the functions of the principal legal and constitutional adviser of the Crown with those of the Head of the Judiciary. That this should have been possible is in itself a fact of significance. Everyone will give such weight to it as his own habit of mind suggests, and no more can be said than that to uproot an institution so deeply planted in the traditional soil of the nation as is the position of the Lord Chancellor is a step which would require careful weighing of consequences.

33. But quite apart from these considerations, which depend in part on sentiment, there are others of a different kind. The Cabinet ought to have in a prominent position a legal and constitutional adviser of the highest standing. The importance of the Lord Chancellor in the Cabinet has declined for various reasons which are external to the office. The

real keeper of the King's conscience is now the Prime Minister, a Minister with greater and more commanding powers than in days when the Sovereign had greater influence in the selection of Ministers. The Lord Chancellor is, moreover, loaded to-day with a volume of appellate business which has progressed concurrently with the increase of his administrative work, and is independent of the period of the year during which he has to sit as Speaker of the House of Lords. He and his too small staff are in large measure cut off from contact with the work and personalities of other Departments. As the result, he is snatched, often at short notice, from pressing judicial business, to participate in deliberations on matters in which he has not received papers, and is not likely to have had time to read them even if he had received them.

34. Yet it seems to be of high importance that the Cabinet should have an adviser of the type of which the Lord Chancellor would be, provided that he had the opportunity and the leisure to investigate beforehand the matters on which he would have to advise in council.

35. We think that he should, in the first place, be freed from the duty of daily or even of frequent judicial sitting. There are cases which came before the Supreme Tribunals in which it is of much importance that the Judges should have that familiarity with constitutional usage which can never be acquired so well as in the school of long experience in Parliament. In appeals from the Dominions touching delicate questions in their constitutions this is peculiarly true; and for this and other reasons we do not think that the Lord Chancellor should be divorced wholly from the duty of presiding over the Supreme Tribunals, although it is obvious that his time should not be absorbed by ordinary causes.

36. Should a reconstituted Second Chamber be established, it will probably wish to select its own Speaker, instead of having an ex-officio Speaker nominated by the Crown, as is the Lord Chancellor to-day. In any event, we think it impossible that the Lord Chancellor should adequately perform his duties as we conceive them, and at the same time remain Speaker of the Second Chamber.

37. The changes which we propose are such as would leave him free to fulfil adequately certain important functions which are his now, and also to perform other duties cognate to them. We think that it is important that the appointment of the Judges of the people of England should, as at present, be made by a Minister who is in large measure kept free from much pressure by individual members of Parliament, and even by his colleagues, in the matter of these appointments. To strengthen his hands we are of opinion that he should consult, before making any such appointment, a Committee which should include the Prime Minister, the Minister who will, in accordance with suggestions which we shall make presently, be the Minister of Justice, the Lord Chancellor or Lord Chancellors who have preceded him, and the Lord Chief Justice. The Lord Chancellor should have the full responsibility for these appointments, and be free to act on his own opinion. But he should not act in making the appointments without previously consulting this Committee. The appointments so made should include, not only only, as at present, those of the puisne Judges, but those of the Court of Appeal and even those of the Supreme Tribunal of the Empire. They should further include the County Court Judges in England, the Recorders, the Stipendiary Magistrates, and the Masters of the Supreme Court of Judicature. In this way the appointments of Judges would, in our opinion, be most completely removed from any suggestion of political influence.

38. The Lord Chancellor would remain keeper of the Great Seal, the principal legal and constitutional adviser of the Cabinet, and a Minister with sufficient time to watch and master all questions relating to legislation. For this purpose he should take the place of the Treasury as the channel of communication between Departments desirous of initiating legislation and the Parliamentary Counsel Office. He should have arrangements, and an establishment, which should bring him more easily than at present into close relation with the Attorney and Solicitor-General in giving advice on legal questions; and he should stand in close relation to the Judge Advocate-Generals of the Navy and Army, who should be subject to his supervision in important questions. It is a matter for careful consideration whether these judicial functionaries should not have their offices combined in that of a single additional Law Officer of the Crown. We think that this may prove both practicable and desirable. The question is understood to have been under consideration prior to the war.

39. As to ecclesiastical patronage, the Lord Chancellor and the Prime Minister also, might well desire to be relieved of difficulties in making minor appointments by the assistance of a carefully selected body established to give advice on the subject.

40. But we think that in order to make it possible for the Lord Chancellor to perform these duties adequately, it is essential that the general work of administration in connection with Justice in other matters should pass to a regular Minister of Justice. There seems to be no reason why the Home Secretary should not become this Minister, and be relieved of functions pertaining to other national services, such as those concerned with health and with production in Mines and Factories. He ought to retain, in addition, the duties which belong to him now as regards the prerogative of mercy, and matters relating to the administration of prisons, and the Metropolitan Police, as well as communications with the Sovereign and other subjects to which reference is made below. The administration of the concerns of the mentally deficient seems properly to belong not to his office, but rather to that of the Minister of Health. He should be the Minister generally charged with the administration of services connected with Justice, subject to the exceptions made in favour of the Lord Chancellor's Department.

41. The Lord Chancellor's staff need not be a large one. But it should include what is requisite to enable him to keep himself closely informed

on all matters necessary to enable him to act as the principal legal adviser of the Government. His work would be in close and frequent relation with that of the Minister of Justice, and good will and forbearance would be essential for the prevention of friction. But these two great Ministers ought to be able to work closely together, and we see no reason why this should be difficult. Their staffs should be in frequent consultation.

42. The Minister of Justice would probably sit in the House of Commons, and he ought to be accessible to those who have suggestions to make. Besides his administration of the staffs of the various Courts in England, his Department should contain experts charged with the duty of watching over the necessities of law reform, and of studying the development of the subject at home and abroad.

43. It has been suggested above that the Home Secretary should be entrusted with the functions relating to the administration of Justice of which we recommend that the Lord Chancellor should be relieved. The Home Office already exercises a number of functions of this nature, but its jurisdiction extends also over a variety of other subjects, and before proposing that it should assume additional functions, we carefully considered how far the application of the principles explained in our Report indicated that its present functions were susceptible of any re-distribution.

[To be continued.]

The Estate Market—1918.

We have received the following report from Messrs. Hampton and Sons:—

The Estate Exchange official returns for the past year show a decided advance on the previous year; but, having regard to the enormous volume of sales which have passed through our hands, it is somewhat surprising that the general returns were not greater. The year under review will, so far as our experience goes, prove a record in the number and amount of realisations in almost every branch of our business. The enquiries for property, both residential and commercial, during the last few weeks of the year are even greater than they were in the earlier period, so that the indications point to an even greater volume of business in the immediate future. To briefly summarise the various branches of the market in which our practice chiefly lies:—

RESIDENTIAL AND AGRICULTURAL ESTATES.

We are able to report another very satisfactory year for the disposal of residential estates, both in the Home Counties and further afield, with prices decidedly on the up-grade, while the demand is certainly showing a very substantial increase in the last few months; moreover, the larger houses are by no means proving unsaleable, as many prophesied would be the case. Farms have met with a ready sale, with prices again on the increase.

COUNTRY HOUSES.

It has been an exceptionally busy year for the disposal of country houses. Properties of all descriptions, more particularly those of moderate size, have been greatly in demand all over the kingdom, although the strongest enquiry has, perhaps, been for residences in the South and South-West of England. Business has been most active during the latter part of the year, and during the past few weeks we have disposed of a large number of properties. What may be recorded as a sign of the times is the number of properties which have been disposed of, together with the interior furnishings, a transaction which was comparatively rare in pre-war days. In some cases the price paid for such a property as it stands allowed for a greater sum for the furnishings than for the freehold of the property itself. Furnished summer lettings were quite good, although the petrol restrictions operated against the letting of houses any great distance from a railway station, and the restriction of trains also affected houses in remote situations, but places conveniently situated for access let well at fair average rentals. There has been a gratifying increase in the demand for the better class of suburban houses, especially where the surroundings are at all rural. Wimbledon holds pride of place in London suburbs, and there is always a demand for the better houses on the high ground near the Common.

TOWN RESIDENTIAL PROPERTIES.

Town houses of moderate size have been disposed of in large numbers, and in cases where they have been thoroughly modernised and brought up to date prices have been normal. As in previous years the country house type of place, such as is found in some parts of Kensington, is greatly in demand, and houses on and around Hampstead Heath are difficult to procure. Flats of all descriptions have been in demand, and there are but few available, while service flats are snapped up directly they come into the market. The season, as such, has, of course, practically ceased to exist, but there has been a consistently good demand for furnished accommodation, and lettings have generally been effected at good average rentals.

INVESTMENT PROPERTIES AND BUILDING LAND.

Building land is still a weak spot in the estate market, there having been very few transactions of any magnitude. Now that the restrictions against building have been removed and labour will, it is hoped, be soon available for building, there will doubtless shortly be a demand for building estates on behalf of land companies and builders. In the environs of practically every large town there is a great demand for

houses, and though building must of necessity be exceedingly expensive compared with pre-war standards for some time to come, yet the demand for houses is such that there is unquestionably a profitable field for the builder of residential properties when he can start operations. Government securities issued to pay 5 per cent., and others purchasable in the market to show even a better return, has naturally had a somewhat prejudicial effect on the sale of house property for investment, and prices generally have ruled low compared with pre-war times. The same attractive form of investments has also affected the sums available for mortgage, the large insurance companies and others who favoured this form of investment having few funds available. During the past few weeks of the year we have, as surveyors, been instrumental in placing out sums of considerable magnitude on London properties, and, now that the necessity for raising further Government loans has passed, doubtless there will be large funds shortly available for this safe and attractive form of investment.

COMMERCIAL PREMISES AND SITES.

The demand for factories and warehouses is strong, several important premises having changed hands through us, and we have still many unsatisfied enquirers for premises in and around London. There is every indication that the new industries which have sprung up during the war have proved so successful that the existing firms are looking for opportunities to extend their businesses, and many capitalists are open to start new enterprises. There is a dearth of office accommodation, particularly in the West End of London, in consequence of the many buildings which have been occupied by the Government, the supply for some time past being unequal to the demand.

3, Cockspur-street, London, S.W. 1.
December 31, 1918.

Treatment of Conscientious Objectors.

The enclosed letter from the Master of the Temple, Col. Buchan, Prof. Gilbert Murray, and Lord Parmoor, and memorandum, have been sent to the Prime Minister:—

29, Wilton-crescent, S.W.,
1st January, 1919.

DEAR MR. LLOYD GEORGE.—

We earnestly ask your favourable consideration of the enclosed memorandum. The names of the signatories are probably, for the

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most part, known to you. Our object has been to limit the number of signatures, and to include only those of representative persons.

We are aware that objection has been taken to the release of the conscientious objectors on the ground that they might thereby obtain some preference in comparison with soldiers who have not been demobilized. We cannot, however, think that the position of a prisoner, condemned to prison treatment, which in many cases has exceeded the maximum term allowed either by our military or civil law, viz., two years, is comparable to that of a soldier after the armistice, or that the number involved can seriously affect the opportunities of a demobilized soldier to find occupation.

In any case, we would suggest that considerations of this character cannot alter the nature of the offence charged or justify a prolongation of the length of the term of imprisonment.

For convenience we have arranged the names in the following order:—

- (1) Literary and University men.
- (2) Labour.
- (3) Clergy of all denominations.
- (4) Representative women.
- (5) Representative men.

Yours faithfully,
E. W. BARNES.
JOHN BUCHAN.
GILBERT MURRAY.
PARMOOR.

To the Rt. Hon. David Lloyd George,
10, Downing-street, S.W. 1.

SIR,—

We, who hold different views on the actions of conscientious objectors, are united in the opinion that the time has come when they should be forthwith released. There are now fifteen hundred of these men in prison, seven hundred of whom have served terms of two years or more, whereas two years is the maximum punishment allowed for ordinary criminals under either our civil or military code. As a result of recent inquiries it was found that a large majority of these men are sincerely convinced that they have acted under the demands of their conscience and in accordance with deep moral or religious conviction.

We urge that men in prison under these conditions should not be kept there during the period of national rejoicing, and that our country should not shew itself slow at such a time to carry through an act of just mercy. It is hardly necessary to remind you of the statements made by responsible Ministers when the Military Service Act was under discussion in Parliament. Mr. Walter Long, on 11th May, 1916, said: "Nobody in the Government wants the horror of men who, for conscience sake, are unwilling to serve, being thrown into gaol for a long time."

Surely now that the fighting has ceased all possible occasion for harsh treatment has disappeared, and we therefore urge the immediate release of all such prisoners.

[The names appended are numerous and are widely representative of the various classes above.]

County Council Housing.

A return to an Order of the House of Commons made by the Local Government Board on 5th August, 1914, the day after the war was declared, has been published, showing the land and housing activities of every county council in England and Wales, with the exception of the London County Council.

In view of the housing problems of the moment, and of the fact that building has been suspended during the war, the figures given are of interest. From 1st January, 1906, to 4th August, 1914, the county councils of England and Wales had provided 5,864 houses, of which 1,744 had been supplied out of loan moneys. These houses were occupied as follows:—

Smallholders	...	...	...	...	2,421
Police	...	...	...	...	2,409
Council employees	...	...	...	...	843
Other persons	...	...	...	...	191

Total 5,864

Council employees included 448 teachers and 337 asylum officers.

The return also shows the acreage of land owned in fee simple and on leasehold by the county councils, and the purposes for which it was used or acquired. The total area, approximately, of such land was 220,071 acres, of which 160,908 were freehold, while 210,825 acres were agricultural land. Of the total area 194,537 acres were used for small-holdings, 13,476 acres for lunatic asylums, and 7,824 acres for education.

Companies.

The London Joint City and Midland Bank (Limited).

The directors of the London Joint City and Midland Bank (Limited) report that the net profits of the combined institutions for the year ending 31st December last, after making provision for all bad and doubtful debts, amount to £2,700,330, which, with £733,785

brought forward, makes £3,434,115 for appropriation as follows:—For payment of dividends for the year 1918 at the rate of 18 per cent. per annum, less income tax, £919,885; for payment of salaries and bonus to members of the staff who are engaged with His Majesty's Forces, and bonus to other members of the staff, £489,132; to reserve funds for future contingencies, £600,000; to bank premises redemption fund, £100,000; to officers' pension fund, £100,000; to staff widows' fund, £50,000; to reserve fund, £500,000; and to carry forward £675,098.

The dividend of the London City and Midland Bank (Limited) was at the same rate for 1917, with appropriations of £804,519 and carry forward £733,785.

The London County, Westminster and Parr's Bank (Limited).

The directors of the London County, Westminster and Parr's Bank (Limited) have declared a dividend of 10 per cent. for the past half-year (less income tax), making a total distribution of 20 per cent. for the year 1918.

The Equity and Law Life Assurance Society.

Sir RICHARD STEPHENS TAYLOR has been elected Chairman of the Board of Directors of this Society.

Obituary.

Mr. Henry Mossop.

We regret to announce the death, on 31st December, of Mr. HENRY MOSSOP, the senior partner in the firm of Messrs. Henry Mossop & Syms, 11, Lincoln's Inn-fields, W.C. Mr. Mossop resided at The Grange, Ashford, Middlesex, where he died. For a long period he took a leading and active part in the Law Students' Debating Society. He was formerly a partner in the firm of Corsellis, Mossop, & Berney, then of 1, Quality-court, Chancery-lane. Mr. Mossop was a very keen golfer, and contributed very largely to the success of the London Solicitors' Golfing Society. He leaves a widow and four daughters.

Legal News.

Change in Partnership. Dissolutions.

JOHN CHARLES WADHAM, NORMAN CHARLES BARRACLOUGH and WILLIAM GEORGE BARRENGER, solicitors (Evans, Wadham & Co.), 2, Gray's Inn-square, London. Dec. 31. So far as concerns the said John Charles Wadham, who retires from the said firm; the said Norman Charles BarracloUGH and William George Barrenger will continue to carry on the said business in partnership under the style or firm of Evans, Wadham & Co.

WILLIAM HENRY STEWART, HENRY CHALKER and HENRY CECIL CHALKER, solicitors (Stewart & Chalker), 67, Westgate, Wakefield. Dec. 31.

GEORGE LYON, GORDON MURRAY-SMITH and HERBERT INNES FRIPP, solicitors (Tucker, Lake & Lyon), 74, Great Russell-street, Bloomsbury-square, W.C. 1. Dec. 31. The said George Lyon retiring from the firm; the said Gordon Murray-Smith and Herbert Innes Fripp will continue the said business under the said firm name. (Gazette, Jan. 3.

Business Change.

Mr. J. DE MEZA, of Bishopsgate, has joined Mr. DAVID A. ROMAINE in partnership, and the practice will be carried on under the style of Romain & de Meza, at Mr. Romain's offices, 196, Bishopsgate, E.C. 2.

General.

The Board of Inland Revenue have appointed Mr. C. E. Fletcher to be Controller of Death Duties and Mr. G. D. Callender to be Assistant Controller of Death Duties.

Summoned by the Law Society at Willesden, on Monday, Albert Lewis, of Lime-street, E.C., was fined £5, with two guineas costs, for "unlawfully pretending to be a solicitor."

Mr. William Seaton Gray, of Whitby, Yorks., senior partner in the firm of Seaton Gray, White, & Co., solicitors, clerk to the urban and

rural council, and the board of guardians, and chairman of the Esk Fishery Conservatory, left estate of gross value £19,147.

The election to the Downing Professorship of the Laws of England, at Cambridge, vacant by the resignation of Dr. Courtney Kenny, will take place at 3 p.m. on Tuesday, 11th February. Candidates are requested to communicate with the Vice-Chancellor on or before Tuesday, 4th February.

Dr. Waldo, the City Coroner, stated on the 2nd inst. that for the past nineteen years thirty-one beadles had been pressed into his service as officers, and he could not get rid of them. He wanted a police officer, such as he had in his Southwark Court. Beadles were capital fellows, but they had not had sufficient practice as coroners' officers.

It is stated that the office of Garter King of Arms, vacated by the death of Sir Alfred Scott-Gatty, has been conferred upon Mr. Henry Farnham Burke, C.V.O., C.B., Norroy King of Arms. Mr. Burke, says the *Times*, who has been Norroy King of Arms since 1911, was Registrar of Heralds College from 1904 to 1911. He has also held office as Somerset Herald; as Rouge Croix Pursuivant of Arms; as Genealogist of the Orders of St. Patrick and of the Bath; and as Inspector of Regimental Colours to the British and Indian Armies. Mr. Burke is the son of the late Sir J. Bernard Burke, C.B., LL.D., Ulster King of Arms, and was born in 1859.

Private Stanley Frederick Woodburn, Liverpool Regiment, Selcombe, Wallasey, Chester, who was killed in France on 29th April, has left £1,060. The will, dated 23rd February, 1918, made on a field service form about the size of a postcard, reads:—

My belongings I leave to my next-of-kin.
My purse is empty, there's nothing in.
My uniform, rifle, my pack and kit
I leave to the next poor devil 'twill fit,
But if this war I manage to clear,
I'll keep it myself for a souvenir.

The Rev. James M. Walker, who for eighteen years has been Vicar of Evesham, is leaving on Monday to take up his duties as Vicar of Newark-on-Trent. As a parting gift to Evesham, he has erected in the churchyard a memorial to Simon de Montfort, who fell at the battle of Evesham on 4th August, 1265. The memorial consists of a Celtic cross in Cornish granite, and has been erected within a few yards of the site of the high altar of the vanished abbey, where the remains of de Montfort were buried. The unveiling ceremony was performed by the Master of the Rolls, Sir Charles Swinfen Eady, on Wednesday. He spoke of de Montfort as a sterling patriot and a consistent defender of the rights and liberties of the people. It was, he said, the falling away of his supporters that led to the defeat of his cause at Evesham. Edward I., however, carried out the reforms he instituted. Although it could not be truthfully said that Simon de Montfort created representative institutions in England, he certainly placed representation in our Parliament on a wider, truer and firmer basis, and led up to that still greater enfranchisement which we were now witnessing, the full effects, results and consequences of which no man could estimate.

At Bow-street Police Court, on the 2nd inst., says the *Times*, Mr. Garrett concluded the hearing of evidence in the case in which Whately Charles Arnold, of Canfield-gardens, Hampstead, formerly a solicitor, is charged with having unlawfully converted to his own use and benefit, or the use and benefit of his wife, various sums of money received by him on behalf of the late Mrs. H. M. R. Marley, of Teddington, her adopted daughter, Hilda Marley, and Alice Mary von der Hyde. There is also a charge of obtaining £195 from Charles Henry Mason by false pretences. Mr. Cecil Whiteley, prosecuting, opened an additional charge in respect of the alleged conversion by the defendant of a sum of £600, trust money under the will of the late Miss Elizabeth Lazenbach, of Limehouse, which had been entrusted to him for investment on mortgage. Mr. Garrett having intimated his intention of committing the defendant for trial on all the charges, the defendant said that he did not propose to give evidence or call witnesses at that Court. A formal remand was ordered with the view of carrying the case over until the February sessions of the Central Criminal Court.

In a letter to the *Times* of the 7th inst., "L. H." says:—In your interesting article in the *Times* of to-day on the scarcity of available houses of a moderate size in and around London you mention a fact regarding the larger houses in the Westminster district, which, as you say, "are quite unlettable." Surely the hardship this entails on persons with fixed incomes, which are now so seriously reduced through heavy taxation and other causes, calls for legislation to relieve them from the burdens of a heavy ground-rent and the repairs, which require a large yearly outlay, besides the very high rates and taxes. The owner of one of these large houses lately had an offer from a first-class engineering firm, employed by Government, to rent it for five years at £700 per annum. Though they would have used it only for offices, with nothing indicating anything of a business nature, the Board of the Grosvenor Estate would not allow the owner to accept the offer, and would only give permission for it to be let as a private residence, which, as is well known to all the agents, it is now quite impossible to do. This autocratic decision needs some State interference, and if by your powerful influence this can be achieved you will confer great help and relief on many who, by contributing so largely to the needs of their country, are themselves impoverished.

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Forms of Proposal and full information can be obtained at the Society's Office.

G. H. MAYNE, Secretary.

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date	EMERGENCY ROTA.	APPEAL COURT No. 1.	Mr. Justice EVE.	Mr. Justice SARGANT.
Monday.. Jan. 13	Mr. Borrer	Mr. Bloxam	Mr. Jolly	Mr. Synges
Tuesday .. 14	Goldschmidt	Borrer	Synges	Bloxam
Wednesday .. 15	Leach	Goldschmidt	Bloxam	Borrer
Thursday .. 16	Church	Leach	Borrer	Goldschmidt
Friday .. 17	Farmer	Church	Goldschmidt	Leach
Saturday .. 18	Jolly	Farmer	Leach	Church

Date.	Mr. Justice ASTBURY.	Mr. Justice YOUNGER.	Mr. Justice PETERSON.	Mr. Justice P. O. LAWRENCE.
Monday.. Jan. 13	Mr. Farmer	Mr. Church	Mr. Leach	Mr. Goldschmidt
Tuesday .. 14	Jolly	Farmer	Church	Leach
Wednesday .. 15	Synges	J. Jolly	Farmer	Church
Thursday .. 16	Bloxam	Synges	Jolly	Farmer
Friday .. 17	Borrer	Bloxam	Synges	Jolly
Saturday .. 18	Goldschmidt	Borrer	Bloxam	Synges

HILARY SITTINGS, 1919.

COURT OF APPEAL.

IN APPEAL COURT No. 1.

Monday, 13th January. — *Ex parte* Applications, Original Motions and Interlocutory Appeals from the Chancery and Probate and Divorce Divisions.
Tuesday, 14th January. — Workmen's Compensation Appeals will be taken and continued until further notice.

APPEAL COURT II.

Monday, 13th January. — *Ex parte* Applications, Original Motions and Interlocutory Appeals from the King's Bench Division.
Tuesday, 14th January. — Final Appeals from the King's Bench Division will be taken and continued in this Court.

LOED CHANCELLOR'S COURT.

MR. JUSTICE EVE.

Except when other Business is advertised in the Daily Cause List Actions with Witnesses will be taken throughout the Sittings.

CHANCERY COURT III.

MR. JUSTICE PETERSON.

Mondays .. Chamber summonses
Tuesdays .. { Sht case, pets, far con and non-wit list
Wednesdays .. Non-wit list
Thursdays .. Non-wit list
Lancashire Business will be taken on Thursdays, the 16th and 30th January, the 13th and 27th February, the 13th and 27th March, and the 10th April
Fridays .. Mote and non-wit list

CHANCERY COURT I.

MR. JUSTICE SARGANT.

Mondays .. Chamber summonses
Tuesdays .. { Sht case, pets, far con and non-wit list
Wednesdays .. Non-wit list
Thursdays .. Non-wit list
Fridays .. Mote and non-wit list

CHANCERY COURT IV.

MR. JUSTICE YOUNGER.

Except when other Business is advertised in the Daily Cause List Mr. Justice Younger will take Actions with Witnesses throughout the Sittings.
Applications under Trading with the Enemy Acts will be heard on each Monday afternoon

CHANCERY COURT II.

MR. JUSTICE ASTBURY.

Mondays .. Sitting in chambers
Tuesdays .. { Companies' Acts and non-wit list
Wednesdays .. Far. con. and non-wit list
Thursdays .. Non-wit list
Fridays .. { Mote, sht case, pets, and non-wit list

CHANCERY COURT V.

MR. JUSTICE P. O. LAWRENCE.

Except when other Business is advertised in the Daily Cause List Actions with Witnesses will be taken throughout the Sittings.

COURT OF APPEAL.

HILARY SITTINGS, 1919.

The Appeals or other Business proposed to be taken will, from time to time, be announced in the Daily Cause List.

FROM THE CHANCERY DIVISION, THE PROBATE, DIVORCE AND ADMIRALTY DIVISION (PROBATE AND DIVORCE), AND THE COUNTY PALATINE AND STANNARIES COURTS.

(General List.)

1918.

In The Matter of a Petn of Right by De Keyser's Royal Hotel Id (s o to Jan 21)

Frost and ors v King Edward Welsh National Memorial Assoc and anr
Woodman v Pwllbach Colliery Co Id
The Institute of Chartered Accountants v Hardwick
Attorney-Gen v Cory Bros & Co Id and ors Kennard and ors v Cory Bros & Co Id (s o to Jan 28)
In The Matter of the Registered Trade Mark, No 357,844 of the New Atlas Rubber Co Id and In The Matter of The Trade Marks Act, 1905

Pilbrow v Light (security ordered)
Phillips and ora v The Harbours
Rubbier Co

In the Matter of an Appln by H G
Burford & Co, No 382,038, and
In the Matter of the Trade
Marks Act, 1906

In the Matter of the British Red
Ash Collieries Ltd Eastern Valleys
Black Vein Collieries Ltd v British
Red Ash Collieries Ltd

Jones v Clark, Lloyd and anr
In re M G Pawle, dec Winter v
Pawle

FROM THE PROBATE AND DIVORCE DIVISION.

(Final and New Trial List.)

1918.

Probate In the Estate of George
Palmer, dec George Palmer
Yell, Applt v A R L Palmer and
anr

FROM THE COUNTY PALA- TINE COURT OF LANCASTER.

(Final List.)

1918.

Peers v Waller

(Interlocutory List.)

1918.

The Great Harwood Commercial
Co Ltd v Pickering and anr
The Hare Spinning Co Ltd v Leigh
and ora

FROM THE KING'S BENCH DIVISION.

(In Bankruptcy.)

In re Andrew Anderson (expte The
Official Receiver and The Board
of Trade v The Debtor) No 1,052
of 1912

In re Arkadias Gunsbourg (expte
The Trustee v Sophocles Plides)
No 442 of 1917

Appeals and Motion in Bankruptcy
standing in the "Abated" List.

FROM THE KING'S BENCH DIVISION.

(In Bankruptcy.)

In re J F P Yeatman (expte Henry
Miller v The Trustee and The
Debtor), No 863 of 1910

Motion.

In re Bernard Boaler (expte Bernard
Boaler v The Official
Receiver and ora), No 918 of
1909 part heard (s o generally)

Appeals.

In re A Debtor (expte the Debtor),
No 224 of 1916 (On the 14/7/16
the C A discharged the Receiv-
ing Order and stayed proceedings
for six months, notice to Peti-
tioner of any other petition
Costs of appeal, costs in peti-
tion, liberty to restore, deposit
to remain in Court)

In re A Debtor (expte the Debtor),
No 246 of 1917 (On the 12/7/18
the C A ordered this appl to s o
generally with liberty to any of
the parties to apply to the C A
to restore appl on 2 clear days'
notice)

FROM THE KING'S BENCH DIVISION.

(Final and New Trial List.)

Judgment Reserved.

Weid Blundell v Stephens (s o v

Dec 13) (Heard before Bankes,
Warrington and Scrutton, LJJ.)

FROM THE KING'S BENCH DIVISION.

(Final and New Trial List.)

1915.

Parson v Nesbitt (s o notice of
death of Deft)

1917.

The Ecclesiastical Commrs for
England v The Commrs of
Inland Revenue (Revenue Side)
(s o for Attorney-Gen)

Norman v Brooke (s o for Attor-
ney-Gen)

The Commrs of Inland Revenue v
The Trustees of the Settled
Estate of the Right Hon
Hugh Cecil Earl of Londale
(Revenue Side) (s o for Solr-Gen)

Walsh v Salberg (Receiving Order
made against Applt)

The English Coaling Co v W J
Tatem Ltd (s o to fix a day)

The Commrs of Inland Revenue
(Petrs) v His Grace The Duke
of Northumberland (Respt)
(Revenue Side) (s o for Solr-Gen)

Boynton v Chamley
Leopold James Maxse (Appl't) v

The Commrs of Inland Revenue
(Revenue Side) (s o for Attorney-
Gen)

W M G Singer (Appl't) v A W
Williams, Surveyor of Taxes
(Respt) (Revenue Side) (s o for
Attorney-Gen)

Weiss, Biheller & Brooke Ltd
(Appl'ts) v Richard Farmer,
Surveyor of Taxes (Respt)
(Revenue Side) (s o for Solr-Gen)

Burt & Co (Appl'ts) v The Commrs
of Inland Revenue (Respt)
(Revenue Side) (s o for Attor-
ney-Gen)

E Packard & Co Ltd v Feldman &
Partridge

A F Pool (Surveyor of Taxes) v
Royal Exchange Assce (Revenue
Side) (s o for Solr-Gen)

A W Williams (Surveyor of Taxes)
v W M G Singer, Sir George A
Touche and John Ferguson
(Revenue Side) (s o for Solr-
Gen)

Earl Howe v The Commrs of
Inland Revenue (Revenue Side)
(s o for Solr-Gen)

Hall v Waterkeyne Same v Same
(consolidated)

The King v Langham (expte
Ortchinaky)

Selby-Lowndes v Selby-Lowndes
County Hotel and Wine Co Ltd v
London and North Western Ry
Co

G W Dawes v Bradford E Dawes
v Bradford

The King (on the application of the
Birmingham and Midland Motor
Omnibus Co Ltd) v The Mayor,
Alderman and Burgesses of the
Borough of Walsall

Port of London Authority v
Assessment Committee of Orsett
Union and Overseers of Chadwell
St Mary

Hobson v Jarvis & Sons Ltd
Manchester District Registry John
Wyatt v A J Antome

Woods v Faraday and Tree and
Executors of Tree

Woods & Selwyn & Co v Faraday
and ora

The Cheshire Lines Committee v
Thomas & Co Ltd

M R Rhodes v G Stevens
Pearlite Steel Co (1910) Ltd v E Pol-
lard & Co Ltd

Webb & Kanward Ltd (Claimants)
v Hardy & Co

In re the Arbitration Act, 1889,
and In re an Arbitration
between M Whittaker (Vendors)
and W H Bowater (Purchasers)

Societe Francaise de la Viscose and
Societe Ardennoise pour la Fab-
rication de la soie de Viscose v
The Providence Washington
Inace Co

Omnium d'Enterprises and ora v
Sutherland

Hudson & Sons Ltd v London and
North Western Ry Co

Tucker (trading as the Model Shirt
and Blouse Co) (Respts) v Firth
(Appl'ts)

Watson v Farmer & Co
T A Raff & Co Ltd v Lanwois

Lennox Foundry Co Ltd v Whit-
taker and ora

Stewart v Byng and ora
Bassano Zuccotti & Co v James
Carruthers & Co Ltd

Soanes v London and South
Western Ry Co

Goldberg v G T Murray & Co
Braunstein v H J Heading & Co

FROM THE PROBATE,
DIVORCE AND ADMIRALTY
DIVISION (ADMIRALTY).

With Nautical Assessors.

(Final List.)

1918.

Egyptian Prince—1907—Folio 238
Owners of SS Potomac v Owners
of SS Egyptian Prince (damage)

Mineral—1917—Folio 928 Owners
of SS Myrtlegrove v Owners of
SS Mineral (damage)

Mineral—1917—Folio 928 Owners
of SS Myrtlegrove v Owners of
SS Mineral (damage)

Arnold—1917—Folio 996 Owners
of SS George Fisher v Owners
of Swedish SS Arnold (damage)

Gothland—1917—Folio 11 Owners
of SS Alexander Shukoff v
Owners of SS Gothland (damage)

Laremborg—1916—Folio 812
Owners of SS Gothland v
Owners of SS Laremborg

L'G Kaisha v B Attolico (SS Tai-
kosa Maru)

Fezenta—1917—Folio 825 Owners
of SS Maeton v Levi Samuel
Benna (damage)

Idaho—1914—Folio 92 Owners of
SS Ethelaida v Owners of SS
Idaho (damage)

Potomas—1917—Folio 611 Owners
of Spurn Point v Owners of
Potomas and freight

Johannis Vatis—1917—Folio 743
Owners of SS Worsley Hall and
cargo v Owners of SS Johannis
Vatis (damage) Same v Same
(damage)

Eastern City—1918—Folio 170
Owners of SS Beuclench v
Owners of SS Eastern City
(damage)

Kamoussaka—1917—Folio 940 Ad-
miralty v Owners of SS Kamou-
ssaka (damage)

HMS Active—1918—Folio 7 The
Cora Steamship Co Ltd v Kerrison
Kiddle (damage)

Without Nautical Assessors.

(Final List.)

1917.

Ingstad—1915—Folio 510 Holman
Ltd v T P Rose Ltd (demurrage)
(s o till further order)

(Interlocutory List.)

1918.

Crimdon—1918—Folio 617 Owners
of SS Otterdal v Owners of SS
Crimdon part heard (s o)

FROM THE KING'S BENCH DIVISION.

(Interlocutory List.)

1917.

Attorney-Gen v Solomon Wolio-
wits (Revenue Side) Same v
Bernard Singer (Revenue Side)
(s o generally)

1918.

Othama Ltd v Michaels
John Charles & Son v Sir Clifford
J Cory

Ogilvie v d'Erlanger & Lawley
Same v Same

In the Matter of an Arbitration
Bols & Co v Peter Rushton &
Co

IN RE THE WORKMEN'S
COMPENSATION ACTS, 1897
AND 1906.

(From County Courts.)

1918.

Comery v The New Bucknall Col-
liery Co Ltd

Dowling v The Great Eastern Ry
Co

Horne v The Wandsworth,
Wimbledon and Epsom Gas Co

Vickers Ltd v Cars, Wm

Ford, Geo K v Gilbertson & Co Ltd

Gwynnes Ltd v Pursey

Baynton (an infant), by his father
v Manganese Bronze and Brass
Co Ltd

Stoker v Wortham

Standing in the "Abated" List.
(Trinity, 1916).

FROM THE KING'S BENCH DIVISION.

(Final and New Trial List.)

1914.

The Commrs of Inland Revenue v
Smyth (Revenue Side) appl of
Petr from judgt of Mr Justice
Scrutton, without a jury, dated
Feb 28, 1914, and cross-notice by
Respt, dated April 20, 1914 (s o
generally) April 20

Hunter v Commrs of Inland
Revenue (Revenue Side) appl
of Petr from judgt of Mr
Justice Scrutton, without a
jury, dated Feb 28, 1914 (s o
generally) April 20

1915.

Walter Morrison v The Commis-
sioners of Inland Revenue
(Revenue Side), appl of Applt
from judgt of Mr Justice Row-
latt, dated Jan. 25, 1915 (s o
generally) February 5

(Interlocutory List.)

1916.

J Soanes & Sons Ltd (H Huber &
Co, Garnishees) v Papier Fabrik
Wiessenstein AG (Judgt Debtor)
appl of Garnishees from order of
Mr Justice Rowlatt, dated Feb
16, 1916 part heard (s o ge-
nerally) February 23

N.B.—The above List contains
Chancery, Palatine and King's
Bench Final and Interlocutory
Appeals, &c., set down to 24th
December, 1918.

HIGH COURT OF JUSTICE—CHANCERY DIVISION.

HILARY SITTINGS, 1919.

NOTICES RELATING TO THE CHANCERY CAUSE LIST.

Mr. Justice EYE.—Except when other Business is advertised in the Daily Cause List, Actions with Witnesses will be taken throughout the Sittings.

Mr. Justice SARGANT will take his Business as announced in the Hilary Sittings Paper.

Mr. Justice ASTBURY will take his Business as announced in the Hilary Sittings Paper.

Mr. Justice YOUNGER.—On each Tuesday afternoon Summonses under Trading with the Enemy Act will be taken. Subject thereto Actions with Witnesses will be heard throughout the Sittings.

Mr. Justice PETERSON will take his Business as announced in the Hilary Sittings Paper.

Liverpool and Manchester Business.—Mr. Justice PETERSON will take Liverpool and Manchester Business on Thursdays, the 16th and 30th January, the 13th and 27th February, the 13th and 27th March, and the 10th April.

Mr. Justice P. O. LAWRENCE.—Except when other Business is advertised in the Daily Cause List, Actions with Witnesses will be taken throughout the Sittings.

Summonses before the Judge in Chambers.—Mr. Justice SARGANT, Mr. Justice ASTBURY, and Mr. Justice PETERSON will sit in Court every Monday during the Sittings to hear Chamber Summonses.

Summonses Adjourned into Court and Non-Witness Actions will be heard by Mr. Justice SARGANT, Mr. Justice ASTBURY and Mr. Justice PETERSON.

Motions, Petitions, and Short Causes will be taken on the days stated in the Hilary Sittings Paper.

NOTICE WITH REFERENCE TO THE CHANCERY WITNESS LISTS.

During the Hilary Sittings the Judges will sit for the disposal of Witness Actions as follows:—

Mr. Justice EYE will take the Witness List for EYE and PETERSON, JJ.

Mr. Justice YOUNGER will take the Witness List for SARGANT and YOUNGER, JJ.

Mr. Justice P. O. LAWRENCE will take the Witness List for ASTBURY and P. O. LAWRENCE, JJ.

CHANCERY CAUSES FOR TRIAL OR HEARING.

Set down to 24th December, 1918.

Before Mr. Justice EYE.

Cases for Trial (with Witnesses).

Laurie v Chambers pt hd

Evans v Shotton (restored)

Manders v South Wales Miners'

Federation

Gray-Skinner v Freeman

Low v Chartered Institute of

Patent Agents

Henry Russell & Co ld v Hodges

Alexander v Cornock

Barham v Field

In re Elizabeth Hankey, dec

Cooke v Hankey

Booth v Douglas

The Eastern Valleys Black Vein

Collieries ld v The Elled Col-

liery Co ld

Before Mr. Justice SARGANT.

Retained Matters.

Cases for Trial (with Witnesses).

In re Fleming's Patent, No.

34,850 of 1904, and In re Patents

and Designs Act, 1907 (for Jan.

14)

Same v Same ptm for revocation

In re A G Michell's Patent, No.

575 of 1905 In re Patent and

Designs Act, 1907 (not before

Jan. 21)

White v Young

Parry v Saunders

Raig v Squire

Rhodes v Prick

Rubrey v Buckley Embrey v

Greenwood

Further Consideration.

In re Barrance Barrance v Ellis

Adjourned Summonses.

In re Tredwell Mathews v

Thwaites

In re Mathews' Settlement

Mathews v Thwaites

In re Z B Pollard, dec May v

Tucker

In re M Eeles, dec Timms v

Herring

In re White Public Trustee v

White

In re Michael Bruce's Settled

Trusts Gray v Mayo

In re G M Bruce, dec Bruce v

Mayo

In re Michael Bruce's Will Trust

Mayo v Bruce

In re J K Knight, dec Amey v

Amey

In re S F Woolmer, dec Woolmer

v Woolmer

In re F M Ogilvie Ogilvie v

Ogilvie

In re Grant, dec de Grey v The

Anti-Vivisection Hospital

In re Hart and In re Married

Women's Property Act, 1882

(with Witnesses)

In re Croose, dec Cleave v Croose

In re Emery, dec Emery v Hen-

derson

In re Bardolph, dec Public

Trustee v Mangan

In re Emma Padmore, dec Brier-

ley v Barlow

In re Harper's Settlement. Wil-

liams v Harper

In re Chas Frodsham, dec Miller

v Frodsham

In re W C Lloyds' Will Trusts

Down v Phillips

Card v Lodge

In re J H. Hall's Settlement

Lawrence v Gowans

In re S B Shipham, dec Peach v

The Church Missionary Soc

In re Sykes, dec Good v Thomas

In re Dalziel, dec Dalziel v

Dalziel

In re Alf G Schiff, dec Schiff v

Schiff

In re George Gail, dec Berry v

Smith

In re John Shepard, dec Winn v

Farmery

In re Jacobs, dec Public Trustee

v Gaster

In re H Foulds, dec Nalty v

Archer

In re Courts (Emergency Powers)

Acts Metropolitan Electric

Supply Co ld v London County

Council

In re C H Young's Settlement

Young v Attorney-Gen

In re Courts (Emergency Powers)

Act, 1917 Searle v Joseph

In re Courts (Emergency Powers)

Act Rice v Joseph

In re C Davies, dec Phillips v

Shawyer

In re Fletcher's Will Trusts

Fletcher v Fletcher

In re Letiers Patent, No. 27,838

of 1912 granted to Stahlwerk

Becker, A C

In re A D Hatch, dec Hatch v

Hatch

In re C W Stevens' Settlement

Morris v Slingsby

In re Collins' Estate DaVy v

Collins

In re R Oxdale, dec Oxdale v

Oxdale

In re Hazlehurst Douglas v Alley

In re W J Jarrett, dec Bird v

Green

In re Ashley & Smith ld Ashley

c The Company

In re J. Thompson's Settlement

Dickinson v Naylor

In re Thomas Thomas, dec Thomas

v Davies

In re Gale, dec Edwards v Gale

In re Chambers' Settlement

Chambers v Mostyn-Owen

In re Courts (Emergency Powers)

Act Price v Rhondda U D C

Before Mr. Justice ASTBURY.

Retained Causes for Trial.

(With Witnesses.)

Valentine v Hyde

Bythway v Nash

Motions.

The Countess of Shrewsbury and

Talbot v The Earl of Shrewsbury

and Talbot

Nash v Nash

Further Consideration.

Martin v Bedford

Adjourned Summonses.

In re E M Wilkes, dec Fraser v

Smith (s o generally)

In re H P Edwards, dec Spencer

v Heron

In re Spiers & Pond ld Goer v

The Company (s o generally)

In re Lander's Settlement. Lander

v Lander (s o generally)

In re Maude Kershaw & ons, in-

fant (s o March 5)

In re Kerrison's Settlement In re

Settled Land Acts, 1882 to 1890

(s o generally)

In re Ann Withrington, dec Royal

Exchange Assco v Withrington

M E Notaras ld v Notaras

In re W S Mutton, dec Mutton v

Trustee of the Property of T

Mutton

In re J M Blyth, dec Harding v

Blyth

In re Thomas Corde's Trusts and

In re Conveyancing Acts

In re Hoyle, dec Yates v Attor-

ney-Gen

In re Thos Munday, dec Haynes

v Holbrooke

In re The Nechi Mines (Columbia)

ld The Company v Elmore

In re Majolier, dec Urnston v

Majolier (not before Feb. 1)

In re E B Connop, dec Mott v

Meads

In re Nickalls, dec Nickalls v

Nickalls

In re Ward, dec Baker v Ward

Wilson v Macelwee

In re Morris Trusts Hardie v

Hope-Vere

In re an appn by Winget ld for

registration of Trade Mark, No.

381,808

In re Lewis, dec Owen v Jenkins

In re Laycock, dec Laycock v

Special Commrs for Income Tax

In re Ulrich's Settlement Preston

v Tritsch

In re H R C Pauling's Will Trusts

Pauling v Hill-Kelly

In re John MacLaren, dec Gellatly

v Stewart

Stephens v Stephens

In re Sir J W Ellis, dec Prideaux

v Ellis

In re Beaton, dec Garfit v Ren-

wick

Croft v William F Blay ld

In re Atwood Brook v Webber

In re Lea's Trust Cherry v Bar-

nett

In re Van Raalte's Will Trusts

Public Trustee v Van Raalte

In re Jonas Andrew, dec Andrew

v Pickering

In re Rebbeck, dec Hopkins v

Rebbeck

In re Sarah Ward's Will Part-

ridge v Hoare-Ward

In re Phillip, dec Armstrong v

Phillip

In re Sarah Corry, dec Bowen v

Harrison

In re Charlotte Stevens, dec

Brown v The Printers' Pensions

Almshouse, &c., Corpn

In re Williams Deacons Bank

appn In re Courts (Emergency

Powers) Act

In re Gladwin's Trust In re

Settled Land Acts

Companies (Winding-up) and

Chancery Division.

Petitions (to wind up).

Timor Oilfields ld (petn of R H

Silley—ordered on Oct 13, 1914,

to stand over generally

Chilian Eastern Central Ry Co ld

(petn of A Delmele—ordered on

June 15, 1915 to stand over

generally)

Colnbrook Chemical & Explosives

Co ld (petn of Scottish Tube Co

ld—ordered on Dec 5, 1916, to

stand over generally)

G H Fernau & Co ld (petn of Public

Trustee and ons—ordered on

July 31, 1917, to stand over

generally)

London County Commercial Re-

insurance Office ld (petn of

Danske Genforsikring Aktie-

selskab (Danish Re-insurance

Co—ordered on Jan 22, 1918, to

stand over generally)

West of England Cinemas ld (petn

of H H Harper—ordered on

June 18, 1918, to stand over

generally)

Globe Films Id (petn of Trans-Atlantic Film Co Id s o from Oct 15, 1918, to Jan 14, 1919)

North West Corp Id (petn of Goodall, Clayton & Co Id s o from Dec 10, 1918, to June 10, 1919)

United Electric Theatres Id (petn of National Provincial & Union Bank of England Id s o from Dec 17, 1918, to Jan 14, 1919)

Beck Engineering Co Id (petn of S W Donne s o from Dec 17, 1918, to Jan 21, 1919)

Robert Meredith & Co Id (petn of Triton, Labouchere & Caro s o from Dec 17, 1918, to Jan 21, 1919)

Oowana Soap Co Id (petn of H & F Worrow and Bettridge)

Murray & Evenden Id (petn of E Underdown)

Petitions (to confirm Re-organisation of Capital).

Cooper Steam Digger Co Id (ordered on June 16, 1914, to stand over generally)

Vandrompe Titford & Co Id

Petition (to sanction Scheme of Arrangement).

William Coleman's Ordinary Shares Id (petn of H W Cutting—ordered on March 3, 1914, to stand over generally)

Petition (to confirm Reduction of Capital).

J Russell Grant & Co Id and reduced

Motions.

Wood Green and Hornsey Steam Laundry Id Trenchard v Wood Green and Hornsey Steam Laundry Id (to stay action—ordered on Jan 16, 1917, to stand over generally)

Vibrocel Co Id (to stay compulsory Winding-up)

Court Summonses.

French South African Development Co Id Partridge v French South African Development Co Id (on preliminary point—ordered on April 2, 1914, to stand over generally pending trial of action in King's Bench Division)

English & Scottish American Mortgage and Investment Co Id (as to contingent claims part heard—parties to apply to fix day for further hearing)

General Omnibus Supply (Manufacturing Co) Id (delivery up of books and documents—ordered on Feb 27, 1917, to stand over generally)

Moylett's Stores Id (to vary list of contributories—ordered on April 3, 1917, to stand over generally)

New Manchester Theatre Id (inspection ordered on Dec 10, 1918, to stand over generally—retained by Mr. Justice P O Lawrence)

National General Inace Co Id (priorities of policy holders—c a v—retained by Mr. Justice P O Lawrence)

Francis Cooke & Co Id (creditor's claim against Liquidator—ordered on Dec 17, 1918, to stand over generally—retained by Mr. Justice P O Lawrence)

Vanden Plas (England) Id (of proof of Fiat Motors Id—with witnesses—parties to apply to fix day for hearing)

National General Inace Co Id (on proof of Licenses & General Inace Co Id)

Canadian United Gold Fields Id (to vary list of contributories—C H Cooke's appn)

Same (misfeasance)

Hubert Fenn Id (to vary list of contributories)

Chaplin, Milne, Grenfell & Co Id (interest on shares deposited as security)

Canadian United Gold Fields Id (to vary list of contributories—C F Vanderbyl's appn with witnesses)

Same (same P H L'Estrange's appn) (with witnesses)

Before Mr. Justice YOUNGER.

Retained Matters.

Petition.

In re Guerrier Guerrier v King

Motions.

Hamptons Id v Kipling & Howe
Royston U D C v Royston (Yorks)
and District Gas Co
Mitchell v Radley

Further Consideration.

Hopkins v Phillips

Adjourned Summonses.

In re E F Morse, dec Morse v Foskett

In re Mair, dec Doxat v North

In re Emma Hewetson, dec In re Elizabeth Hewetson, dec Hamlyn v Royal National Lifeboat Institution

In re W H Longbottom, dec Longbottom v Longbottom

In re E Turrall, dec Public Trustee v Turrall

In re E F Warburg, dec Warburg v Ware

In re Curtis, dec Public Trustee v Curtis

In re S T Boswell, dec Cooke v Willson

In re Wm Ruscoe, dec Ruscoe v Ruscoe

In re Countess Von Quadt, dec Fawcett v Murray

In re Bromley & Robinson's Contract and In re Vendor & Purchaser Act, 1874

In re John Green, dec Green v Green

In re Stone's Indenture Stone v Steele

In re J B M Leach, dec Holme v Coleclough (s o to Easter Sitting)

In re Richard Wake, dec Evans v Ashton

In re Blacklock dec Fairbrother v Foster

In re C G Jones, dec Public Trustee v Norton

Causes for Trial (with Witnesses).

In re Norton & Co's appn and In re Trade Mark Act, 1905

Craggs v Isherwood

Norton v The Submarine Motor Ship Cleaner Syndicate Id (not before Feb 23)

Longfield Parish Council v Dartford Rural District Council pt hd

Enfield Urban District Council v The Rees Roturbo Manufacturing Co

Tidey v Shepherd

The Gamage Bell Motor Cab Co v A W Gamage Id

Deverell v Mainer

McTurk v Davies

Rees v Ayres

Adlard v Adlard

In re Trade Marks Act, 1906 In re Application of W & T Avery Id

In re Arthur Thornely's Settlement Thornely v Jarvis

The Grosvenor Garage (Bournemouth) Id v Harris & Sons

Mount v Mount

North v Loomes

Maspey v Carter & Carter

Stone v Galton

Applications under the Trading with the Enemy Acts, 1914 to 1916.

In re M E Kaufmann's Sohn, enemies, &c

In re Franken Bros, enemies, &c

In re Armorduct Manufacturing Co Id, enemies, &c

In re Deutsche Bank, enemies, &c (with witnesses)

In re John B Neuberbourg & Co, enemies, &c

In re Hugo Stinnes Id, enemies, &c

In re Same

Before Mr. Justice PETERSON.

Retained Causes for Trial (with Witnesses).

Ropeways Id v Hoyle pt hd

Smeeton v The Attorney-Gen (s o for Attorney-Gen)

The Zinc Mines of Great Britain Id v Stevenson (s o generally)

Alington v Seymour

Stobie v The Newcastle-upon-Tyne Electric Supply Co Id

Further Consideration.

Chivers v White (short cause)

Causes for Trial without Witnesses and Adjourned Summonses.

In re E Fisher, dec Fisher v Fisher

In re P L Brown, dec Brown v Brown

In re Campbell, dec Cooper v Campbell

In re William Scott's Settlement Scott v Scott

In re Geo Barlow Barlow v Barlow

In re Fawcett, dec Fawcett v Fawcett

In re Thomas Timberlake, dec Aroher v Timberlake

In re R F Wells, dec Foden v Wells

In re Jervis Turner v Jervis

Keating v Woodward

In re Tree, dec Lowther v Tree

In re W W English, dec English v Hunt

In re E Cladish, dec Fleet v Hilder

In re Thos Short, dec Short v Short

In re John Lysaght, dec Lysaght v Bush

In re Harvey Miles' Settlement In re Settled Land Acts

In re F Hedley-Peck, dec Cooke v Peck

In re Wm Smith, dec Smith v Blacklock

In re Southgate's Settlement Paine v Southgate

In re R Hyde & Co Id Morgan v The Company

In re Brown, dec Brown v Dunlop Salaman v Prince of Pless

Same v Princess of Pless

In re Joseph Leech, dec Howarth v Howarth

In re G G Hiley dec Public Trustee v Hiley

In re Jackman, dec Raphael v Pearson

In re Doxford, dec Hedley v Doxford

In re Mark Fooks Condry v Cole

In re Devereaux Moore v Oakley

In re Marshall, dec Townley v Allison

In re Bond, dec Public Trustee v Morris

In re Bennett, dec Bennett v Bennett

In re Boyd's Settlement Butler v Boyd

In re Benjamin Lewis, dec Lewis v Lewis

In re Richard Poppleton's Settled Legacy Royal Exchange Assce v Walkington

In re Poppleton, dec Gray v Anderson

In re Cockburn, dec Royal Exchange Assce v Arkwright

In re Baker, dec Baker v Jones

In re A R Price, dec Price v Strange

In re Eliza Wesley, dec Mant v Wesley

In re Denning, dec Spear v Houlder

In re John Ward's Settlement and In re Settled Land Acts

In re M C Ellis, dec Public Trustee v Ellis

In re Siddle, dec Coltart v Gawthorne

Wingfield v Wingfield

In re M H Lewis Trust Jones v Owen

In re William R Wood, dec In re C W G Wood, dec Wood v Wood

In re Graham Wood, dec Wood v Wood

In re J B Tunnard, dec Walton v Tunnard

In re Mary Lowthian, dec Lowthian v Lowthian

In re Courts (Emergency Powers) Act Saint v Lever Bros Id

In re Kemp, dec Phillips v Attorney-Gen

In re Joseph Nixon, dec Thomson v Nixon

In re Wm Walker, dec Coutts & Co v Walker

In re Seeger, dec Cramer v Seeger

In re A Mosely, dec Rozelaar v Mosely

In re The Leigh Photographic Paper Co Id Wright v The Company

Judd v Malling

In re Marks' Settlement Marks v Public Trustee

In re Berkeley's Indenture of Covenant Berkeley v Berkeley

In re Adam Laidlaw Cotton v Laidlaw

In re Thomas Turner, dec Turner v Turner

In re George Munn, dec Manton v Munn

Before Mr. Justice P. O.
LAWRENCE.

Retained Matters.

Motions.

Waite v Premier Motor Panel and Engineering Co ld
First Garden City ld v Kryn & Lahy Metal Works
Bull v Lyndwood
Williams v Renault (s o March 20)
Kershaw v Everitt
Down v The Mahogany Estates and Saw Mills ld and anr
London and Eastern Theatricals Co v Brammall
W H Bowater ld v H G Bishop

Adjourned Summonses.

Ip re W D James, dec Forbes v James
In re A D Berrington, dec Temple v Berrington

In re Dixon-Johnson Grey v Dixon-Johnson
In re Wm Hutchinson, dec Carter v Hutchinson
In re Burgess & Cotterell's Agreement Cotterell v Burgess
In re South Australian Land Mortgage, &c, Co Skiel v The London Trust Co ld

Petition.

In re Glazed Press Beef Co ld (for Jan 17)

Causes for Trial (with Witnesses).

Anglo-American Theatrical Syndicate ld v McLellan
Degen v Gastrell
In re Spiers & Pond ld (s o)
Bellanger v Rose Downs & Thompson ld
Sadgrove v Godfrey
Wapies v Lambert

CIVIL PAPER.

For Judgment.

Buerger & Co v Barnett (c.a.v 18th Dec, 1918)

For Hearing.

H.M. Postmaster-General v Blackpool & Fleetwood Tramroad Co (Blackpool County Court)
Enoch Williams & Sons v Jones (Merthyr Tydfil County Court)
Same v Same (Same)
Baldock v Mayor, &c, of Westminster & ors (Lambeth County Court)
Cotling v Rose (Chesham County Court)
Lobitos Oil Fields v The Admiralty
Levy v Grosvenor Garage (Bournemouth) ld
Macklin v Newbury Sanitary Steam Laundry Co (Barnet County Court)
Braybrooks v Whaley (Spalding County Court)
Wilding & ors v Hodge (Chester County Court)
Thompson v Maygrove (Totnes County Court)
Payne v Same (Same)
Bourgeois & Co v Kabalikin
Bridges v Chambers (Barnsley County Court)
Cox, McEuen & Co v Clark
Mellish v Webster (Greenwich County Court)
Spiller v Cooper (Brentford County Court)
King v York (West Bromwich County Court)
Prentice & ors v Beattie & anr (Northampton County Court)
Phillips Film Co v Counties Picture Theatres Co ld (Smith Clmt) (City of London Court)
Laurion v Poliakoff & Co
De Angelis v King & Ramsay
Daymond v Searle & anr (Plymouth County Court)
Hoffmann v Fisher & Sons ld (City of London Court)
Blandell v Broadbent & anr (Wandsworth County Court)
Everton v Budden & Fritz & Wife (West London County Court)
Herring, Son & Daw v Gray (Wandsworth County Court)
Harvey v Mayor, &c, of Kingston-upon-Hull (Kingston-upon-Hull County Court)
Pedder & Son v Same (Same)
Roberts v Ballard (Newport County Court)
A E G Electric Co v Rio Tinto Co Rio Tinto Co v A E G Co
Goldberg v Forsaith Bros (Shoreditch County Court)
Jones & Meakin v Greshed & Humbert
Jenkins v Southampton, &c, Steam Packet Co (Southampton County Court)
Lewis & Hyland v Foster's Parcels & Goods Express (City of London Court)
Brook v Jarrett (Marylebone County Court)
Traxler v Fepton, Furst & Co (Shoreditch County Court)
Lewis v Braine (Gloucester County Court)
Brodar v Coblenz
Allington v Great Western Ry Co (Hereford County Court)
Nesbitt v Moore
Mills v Brooker & Son (Maidstone County Court)
Crosbie v Wilson (Marylebone County Court)
Doey v London & North Western Ry (Bloombury County Court)
Collins & Burch ld v Poliakoff & Co ld
Hexton v Brown & Sons (Bournemouth County Court)
Joyce v War Risks Assoc
Williams v Maggs (Cardiff County Court)
Jones v Hill (Brentford County Court)
Gay & Christie v Rio Grandense Light, &c, Syndicate
Gordon v Karno (Westminster County Court)
William Drug Co v Comet Chemical Co
Ellis v Ruiskip U D C
Mansour & Lederman v Elarbi Boayed & Co
Presbury & Co v Michaels (Lambeth County Court)

KING'S BENCH DIVISION.

HILARY SITTINGS, 1919.

CROWN PAPER.

For Hearing.

The King v Beverley U D C nisi for mandamus to provide Sewers (expte Local Government Board)
The King v City of London Income Tax Commrs nisi for probn from proceeding on assessment (expte P E Singer)
The King v Kensington Income Tax Commrs Same (expte Same)
The King v Same nisi for probn from proceeding on assessment for the year 1913-14 (expte Same)
The King v Same nisi for probn from proceeding on assessment for the year 1914-15 (expte Same)
The King v Haytor Income Tax Commrs nisi for probn from proceeding on assessment for the year 1913-14 (expte Same)
The King v Same nisi for probn from proceeding on assessment for the year 1914-15 (expte Same)
The King v Commrs of Inland Revenue nisi for probn from proceeding with assessments (expte Port of London Authority)
The King v Same nisi for mandamus to hear &c (expte Same)
Owners of SS Crown of Leon v Admiralty Commrs special case under sec 19 of Arbitration Act
Fox v Kooman Magistrates case information under Customs and Inland Revenue Act 1879
Smart v Wilkins Quarter Sessions order and case Respt's appl conviction
Cordiner v Stockham Magistrates case conviction under Finance (New Duties) Act 1916
The King v Special Commrs of Income Tax nisi for mandamus to allow exemption of income tax (expte Dr Barnardo's Homes)
Sol Board of Trade v Ernest Magistrates case information under Registration of Business Names Act, 1916
The King v Lancashire (Salford) Appeal Tribunal nisi for mandamus to hear, &c (expte Roberts)
The King v Sir H Hatt & anr, Jj, &c and Pattemore nisi for order to Jj to hear, &c (expte Sinnott)
Jenkins v Naden Magistrates case information under Food & Drugs Act
Same v Slater Same

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Stovin v Fairbairn (Southend County Court)
 Prosser v Innes (Westminster County Court)
 Wonderling & anr v K & C Engineers Supply Co (Shoreditch County Court)

SPECIAL PAPER.

Bourgeois & Co v Goodlake & anr
 Winicofsky v Army & Navy & General Assce
 Ellis v Bishop-Northwood U D C
 Hartmark & Co v Furness-Withy
 Gilling v Epsom U D C
 Clements v County of Devon Insee Committee
 Shipping Controller v Lloyd Belge (Great Britain) Id

MOTIONS FOR JUDGMENT.

Holmes v Eastern Export Co
 Cooper v Moore

REVENUE PAPER.

ENGLISH INFORMATION.

Attorney-Gen and John Henry Oglander & anr
 Attorney-Gen and George Edward Monckton

CASES STATED.

W R Shove (Surveyor of Taxes) and The National Provincial Bank of England Id
 The National Mutual Life Assce Soc and F G Baker (Surveyor of Taxes)
 John Marston Id and The Commrs of Inland Revenue
 The Plymouth Mutual Co-operative & Industrial Soc Id and The Commrs of Inland Revenue
 The Hon John D Fitzgerald & anr and The Commrs of Inland Revenue
 S Binney and The Commrs of Inland Revenue
 G R Stenson (Surveyor of Taxes) and The Bosch Magneto Co Id
 R A Paul (Surveyor of Taxes) and The Governors of the Godolphin & Latymer Girls' School The Governors of the Godolphin & Latymer Girls' School and R A Paul (Surveyor of Taxes)
 The Commrs of Inland Revenue and E C Warnes & Co Id
 Mills from Emelie Id and The Commrs of Inland Revenue
 The Bowden Brake Co Id and The Commrs of Inland Revenue
 Dunlop Rubber Co Id and The Commrs of Inland Revenue
 The James Cycle Co Id and The Commrs of Inland Revenue
 J Curtis (Surveyor of Taxes) and J J Holdsworth
 Sir Reginald Pole Carew & anr and George James Craddock (Surveyor of Taxes)
 The College of Preceptors and A J Jenkins (Surveyor of Taxes)
 Charles Radcliffe and The Commrs of Inland Revenue
 Thomas Stockham (Surveyor of Taxes) and W Simpson

PETITIONS UNDER THE LICENSING (CONSOLIDATION) ACT, 1910.

Courage & Co Id and The Commrs of Inland Revenue (re the "Eight Bells" Public House, Church-street, Greenwich)
 Courage & Co Id and The Commrs of Inland Revenue (re "The Hope & Anchor" Public House, East-street, Chelsea)
 Peter Walker & Son (Warrington & Burton) Id and anr and The Commrs of Inland Revenue (re 335, Scotland-road, Liverpool)
 Robert McInnes & Benskin's Watford Brewery Id and The Commrs of Inland Revenue (re "Britannia" Public House, Hertford)
 Courage & Co Id and The Commrs of Inland Revenue (re "The Spread Eagle" Public House, 2, Stockwell-street, Greenwich)
 Whitbread & Co Id and The Commrs of Inland Revenue (re "The Clarendon" Public House, Clarendon-road, Notting Hill)
 Whitbread & Co Id and anr and The Commrs of Inland Revenue (re "The Brownlow Arms" Public House, 13, Betterton-street, St. Giles, Holborn)
 Johnson & Darlings Id and The Commrs of Inland Revenue (re "Golden Pleece Inn," 18, Main-street, Spital)
 Johnson & Darlings Id and The Commrs of Inland Revenue (re "Gardens Arms," Amble, Northumberland)
 Atkinson's Brewery Id and anr and The Commrs of Inland Revenue (re "The Star Hotel," Tipton, Staffs)
 The Plymouth Breweries Id and The Commrs of Inland Revenue (re "The Prince Arthur" Public House, Cecil-street, Plymouth)

PETITIONS UNDER FINANCE ACT, 1894.

In the Matter of the Estate of the Marquess of Abergavenny, dec
 In the Matter of the Estate of the Marquess of Abergavenny, dec

DEATH DUTIES.

In the Matter of Arthur George Earl of Walton, dec
 In the Matter of Arthur Flower, dec

APPEAL AND MOTIONS IN BANKRUPTCY.

An Appeal from a County Court to be heard by a Divisional Court sitting in Bankruptcy, pending 31st December, 1918.
 In re Thomas Major Thompson (No 84 of 1913) Expte The Debtor v The Official Receiver appl from the County Court of Lancashire (Liverpool)

MOTIONS in BANKRUPTCY for hearing before the Judge, pending 31st December, 1918.

In re W F Hallett Expte The Public Trustee v Arthur Page (The Trustee of the property of the bankrupt)

In re A Gansbourn Expte W H Cork, the Trustee v A Gansbourn and Co Id
 In re H Wardell Expte The Debtor v The Official Receiver (to expunge proof of H S Westcott)
 In re S H Lavey Expte F S Salsman, the Trustee v Mrs J Lavey

Circuits of the Judges.

Days and places appointed for holding the Winter Assizes, 1919:—

NORTHERN CIRCUIT.

Mr. Justice Salter.

Mr. Justice Roche.

Monday, January 20, at Appleby.

Tuesday, January 21, at Carlisle.

Friday, January 24, at Lancaster.

Monday, January 27, at Liverpool.

Monday, February 17, at Manchester.

WESTERN CIRCUIT.

Mr. Justice Darling.

Mr. Justice A. T. Lawrence.

Saturday, January 11, at Devizes.

Thursday, January 16, at Dorchester.

Wednesday, January 22, at Wells.

Tuesday, January 28, at Bodmin.

Saturday, February 1, at Exeter.

Friday, February 7, at Winchester.

Monday, February 17, at Bristol.

SOUTH-EASTERN CIRCUIT.

Mr. Justice Horridge.

Mr. Justice Bailhache.

Tuesday, January 14, at Huntingdon.

Wednesday, January 15, at Cambridge.

Saturday, January 18, at Ipswich.

Thursday, January 23, at Norwich.

Thursday, January 30, at Chelmsford.

Saturday, February 15, at Hertford.

Wednesday, February 19, at Maidstone.

Thursday, February 27, at Guildford.

Thursday, March 6, at Lewes.

OXFORD CIRCUIT.

Mr. Justice Avory.

Mr. Justice Rowlett.

Monday, January 13, at Reading.

Friday, January 17, at Oxford.

Tuesday, January 21, at Worcester.

Saturday, January 25, at Gloucester.

Thursday, January 30, at Monmouth.

Tuesday, February 4, at Hereford.

Friday, February 7, at Shrewsbury.

Wednesday, February 12, at Stafford.

MIDLAND CIRCUIT.

Mr. Justice Shearman.

Monday, January 13, at Aylesbury.

Thursday, January 16, at Bedford.

Monday, January 20, at Northampton.

Friday, January 24, at Leicester.

Monday, January 27, at Oakham.

Tuesday, January 28, at Lincoln.

Monday, February 3, at Nottingham.

Saturday, February 8, at Derby.

NORTH AND SOUTH WALES AND CHESTER CIRCUIT

Mr. Justice Atkin.

Mr. Justice Sankey.

Saturday, January 11, at Welshpool.

Tuesday, January 14, at Dolgelly and Haverfordwest.

Friday, January 17, at Carnarvon and Lampeter.

Monday, January 20, at Carmarthen.

Tuesday, January 21, at Beaumaris.

Thursday, January 23, at Ruthin.

Saturday, January 25, at Brecon.

Monday, January 27, at Mold.

Tuesday, January 28, at Presteign.

Tuesday, February 25, at Chester.

Monday, March 3, at Cardiff.

